PARL. PAPERS
FOR REFERENCE ONLY.

ACCOUNTS AND PAPERS:

TWENTY-EIGHT VOLUMES.

—(9.)—

COLONIES.

AUSTRALIA;
CAPE OF GOOD HOPE; NEW SOUTH WALES;
NEW ZEALAND.

Session

12 *December* 1854 —— 14 *August* 1855.

VOL. XXXVIII.

1854-55.

ACCOUNTS AND PAPERS:

1854-55.

TWENTY-EIGHT VOLUMES:—CONTENTS OF THE NINTH VOLUME.

N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Paper; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

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ACCOUNTS AND PAPERS:

1854-55.

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RELATIVE TO THE

ALTERATIONS IN THE CONSTITUTIONS

OF THE

AUSTRALIAN COLONIES.

(*In continuation of Papers presented July* 31 *and August* 10, 1854.)

Presented to both Houses of Parliament by Command of Her Majesty,
December 1854.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1854.

[1866]

SCHEDULE.

DESPATCH FROM LIEUTENANT-GOVERNOR LATROBE.

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RELATIVE TO THE

ALTERATIONS IN THE CONSTITUTION OF THE AUSTRALIAN COLONIES.

VICTORIA.

Despatches from Lieut.-Governor LaTrobe.

No. 1.

No 1.

Copy of a DESPATCH from Lieutenant-Governor LaTrobe to the Duke of Newcastle.

(No. 54.) Melbourne, April 15, 1854.
(Received August 8, 1854.)
(Answered No. 19, August 29, 1854, p. 7.)

My Lord Duke,

I have the honour to transmit the enclosed copy of a petition to Her Majesty from a number of residents at Heathcote, McIvor Gold Fields, praying that the Royal Assent may be given to the clause in the New Constitution Act which contains provision for an annual grant of 50,000*l.* for religious purposes in this colony.

2. I have to apologize for the informal manner in which the original petition has been presented to me for transmission; but as the returning of the original to the memorialists with a request that regard should be had in every particular to the prescribed forms would probably preclude them from making their wishes known at all, I have preferred replacing that soiled original by a fair copy, and would request your Grace to allow the prayer which it contains to be laid before Her most Gracious Majesty.

I have, &c.
(Signed) C. J. LATROBE.

The Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 1.

Encl. 1 in No. 1

Unto Her Most Gracious Majesty Victoria, Queen of the United Kingdom of Great Britain and Ireland,

The memorial and petition of the undersigned Colonists residing at Heathcote M'Ivor diggings, in the province of Victoria, Australia,

Humbly showeth,

That your memorialists are loyal and devoted subjects of Your most Gracious Majesty.

That your memorialists know and are well assured that Your most Gracious Majesty is at all times anxiously desirous to promote the social and moral prosperity of all classes of Your Majesty's subjects, both at home and in every British colony.

That a Bill has lately been introduced into the Legislative Council of this province, known to us by the name "The New Constitution Bill," intended for the better regulation of the laws of this province.

That, in the said Bill, the clause No. (60) sixty contains a provision for an annual grant of 50,000*l.* for religious purposes in the province of Victoria aforesaid.

VICTORIA.

That, a number of Your Majesty's subjects residing in the cities of Melbourne and of Geelong, and their suburbs, in the said province of Victoria, met at the Mechanics' Institute Hall, in the said city of Melbourne, on Wednesday, the 1st day of March last, 1854; and there and then proposed and carried a resolution to the effect that a memorial should be presented to Your most Gracious Majesty, petitioning therein Your most Gracious Majesty not to sanction the said clause No. (60) sixty in the New Constitution Bill of Victoria as aforesaid, on the grounds that such an annual grant of 50,000*l.* for religious purposes will create mutual jealousies, heartburnings, and strifes among the various religious denominations in the province of Victoria aforesaid.

That your memorialists, while giving the subscribers to that memorial or petition against the sixtieth clause of the New Constitution Bill every credit for the purity and goodness of their motives in so doing, your memorialists cannot at all agree with them in their expressed conclusions.

That your memorialists therefore would humbly pray Your most Gracious Majesty not to disallow the sixtieth clause of the New Constitution Bill of the province of Victoria herein-mentioned, on the following grounds :—

That your memorialists have been (some more and some less,) about sixteen years residing in the interior districts of New South Wales, Victoria, and South Australia, and more particularly (some more and some less,) about two years on the Gold Fields of the province of Victoria.

That your memorialists have, with deep sorrow, frequently observed that, owing to the scattered nature of the population of the interior of this province and of New Holland at large, and also the nomadic habits of a great many of Your Majesty's subjects sojourning there, a lamentable deficiency prevails throughout of the means of religious ordinances and religious instruction; in consequence of which many of the rising generation in the interior are now growing up without any knowledge of religion whatever.

That during the period of one year now most of your memorialists have resided on the Gold Fields at the M'Ivor diggings in the province of Victoria aforesaid; and that during that time your memorialists have seen no minister of religion officiating at this place, and only until lately a minister of the Church of England has come up to reside here, but who derives his only support at present from funds voted for religious purposes by the Legislative Council of this province, no other funds being available to support, in any way, religious ordinances on these diggings at the present moment.

That again, besides the towns of Melbourne and Geelong, there are many more inland townships in the province of Victoria who have not protested or shown any objection to the passing of the sixtieth clause in the New Constitution Bill of Victoria, besides many other inhabitants residing in the interior, though not in any township.

That, however good or just it may be considered by some the carrying out of the ordinances of religion and religious instruction on the voluntary principle, still, as no rule existeth without an exception, the said voluntary principle is not applicable to the rapidly increasing social and moral wants of the colony of Victoria.

That a mighty interior in this great island continent of New Holland has yet to be explored, opened up, and populated, and thereby urgently requiring, for the due maintenance of religious ordinances and religious instruction, all the pecuniary aid and support which Your most Gracious Majesty's Government in conjunction with the mutual assistance of Your Majesty's subjects can conjointly supply—if only in supporting missionaries from each religious denomination who may choose to send forth such pioneers in the great cause of God.

May it therefore please Your most Gracious Majesty to grant your Royal Assent to clause numbered (60) sixty, in the New Constitution Bill of the Province of Victoria, in Australia.

And your Majesty's Petitioners, as in duty bound, will for ever pray.

[Here follow 26 signatures.]

No. 2.

No. 2.

COPY of a DESPATCH from the OFFICER ADMINISTERING THE GOVERNMENT to the Duke of NEWCASTLE.

(No. 76.) Melbourne, May 22, 1854.
(Received August 8, 1854.)

MY LORD DUKE, (Answered No. 19, August 29, 1854, p. 7.)

I HAVE the honour to forward to your Grace the enclosed copy of a memorial to Her most Gracious Majesty, signed by 11,221 names, together with the copy of a letter* which accompanied it, praying that the clause in the proposed New Constitution Act of Victoria, granting 50,000*l.* per annum for the purposes of public worship, might not become law.

2. It was impossible to forward it by the "Golden Age," from the time at which it was delivered to me; nor do I deem it right to forward the original by the overland mail, from its great size. It shall, however, be forwarded by the first eligible opportunity.

*Not forwarded with either the original or duplicopy of this Despatch.

3. The petitioners are opposed on principle to any state support of religion, into which question it is not necessary for me to enter. I shall merely call your Grace's attention to the fact that the clause was carried in the Legislative Council by a majority of 29 to 10, and that the sum of 50,000*l.* was carried on a division by 25 to 4.

I have, &c.
(Signed) JOHN FORSTER,
Administering the Government.

The Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 2

Encl. in No. 2.

MEMORIAL AND PETITION.

Unto Her Most Gracious Majesty VICTORIA, Queen of the United Kingdom of Great Britain and Ireland,

The Memorial and Petition of the undersigned Citizens of Melbourne, and other Inhabitants of the Colony of Victoria, Australia,

Humbly showeth,

THAT your memorialists, cherishing the most sincere and respectful attachment to Your Majesty's person and government, and convinced of Your Majesty's anxious desire to promote the peace and prosperity of Your Majesty's subjects in all parts of your wide spread dominions, approach Your Majesty on the present occasion on a matter of the very last importance, involving as it does the interests of vital religion, and the harmony and peace of this new and important dependency of the British Empire.

That your memorialists complain of the introduction into the new constitution of the colony of a clause appropriating annually 50,000*l.* for ecclesiastical purposes, together with a serious aggravation of that evil by the insertion of another clause thrown out in the third reading of the Bill, requiring a majority of two thirds of the future Council before this or any other objectionable portion of the constitution can be removed; thus perpetuating beyond all remonstrance for an indefinite period, the grievous wrongs which your memorialists believe will inevitably result from the operation of such measure.

Your memorialists have further to complain that the aforesaid clause should have been enacted in opposition to public opinion, legitimately, emphatically, and repeatedly expressed. In the city of Melbourne, at the instance of a numerously signed and highly respectable requisition, embracing individuals belonging to the different denominations, a public meeting had been duly convened and presided over by the Right Worshipful the Mayor, with the view of obtaining the sense of the community in respect to the said clause. At that meeting, which was unusually large and spirited, resolutions condemnatory of the proposed endowment were all but unanimously passed, only four hands being held up in opposition; and a petition was forwarded to the Legislative Council, praying that the proposed clause should have no place in the new constitution. In Geelong and other parts of the colony similar public meetings had been held, where the measure had been protested against with similar unanimity and determination; and that from these meetings and congregational associations together there had gone to the Council no fewer than nineteen petitions against the clause, while not a single public meeting had declared for it, nor a single petition from any source had been forwarded in its favour.

In connexion with this point your memorialists cannot omit to state a very striking fact illustrative of the importance of the present question, and the depth of feeling with which it is generally entertained. That although the colonial government invited the free expression of public opinion on the various clauses of the proposed constitution, on this clause alone had any public agitation taken place, or any manifestation of public sentiment been given forth; if we may except a remonstrance and protest from the digging population against the competency of the present Council to deal with the new constitution at all, seeing that they were not an entirely representative body; and your memorialists have to complain, that the public opinion thus readily, earnestly, and extensively afforded, should have been so little regarded by the very parties who solicited it, and that apparently with so much humility and eagerness for their guidance and direction in laying a sound foundation for the future government and prosperity of this important colony. That your petitioners participated largely in the universal gratitude and joy with which the much wanted and long expected boon of colonial self-government was received; and their disappointment and regret are all the deeper on the present occasion to find that boon already damaged by the insertion of a clause which, besides the glaring absurdity and practical contempt of all religion which it involves, is certain to entail on the community a long series of mutual jealousies and alienations, heartburnings and strifes among the different religious denominations.

That your petitioners deeply deplore that the present Council, who may be regarded in the light of "mere returning officers" to the new constitution that is shortly to sit, did not see it to be their duty to leave this and other questions of an important character,

VICTORIA.

and concerning which the strongest and most conflicting feelings are entertained, to be disposed of in a House entirely composed of members chosen by the suffrages of their fellow colonists, as is contemplated by the new constitution. Indeed, your petitioners have to deplore the course pursued by the present Council in dealing with the new constitution at all, and they cannot but think that a wiser and more becoming course would have been to have dissolved the Council and entrusted the forming of the constitution to members wholly elected by the people. Had such a course been adopted, your petitioners feel persuaded that no such clause as the one now complained of would have been admitted into the constitution.

That the clause is objected to, not only by those committees who are opposed on principle to all state endowments of religion whatever, but by large numbers even in those bodies that are in actual receipt of state aid. A vast majority of the Wesleyans are opposed to all state grants, and no inconsiderable proportions of the Episcopalians, with their truly estimable bishop at their head, are strongly opposed to the indiscriminate endowment which the clause contemplates, and are prepared to encounter all the difficulties attending the immediate withdrawal of all assistance from the state rather than be parties to the fearful guilt which they believe the state is contracting. Of the Presbyterian persuasion more than two thirds are opposed to the clause, and in the Roman Catholic communion the opposition has many that sympathise with it, for it is asserted by leading men of that communion that the grant is valued more on account of the political equality which it is considered to impart than for any amount of emolument which it affords; forgetting, however, that were the grant entirely abolished, the equality of the different sects in a civil point of view would be necessarily perfect and permanent. In short, if all who are opposed to the clause on the ground of the indiscriminate endowment of truth and error which it contemplates are taken into account, with the large and increasing section who are opposed to all state endowments whatever as being unscriptural, unnecessary, impolitic and unjust, the introduction of such a cause will be found to be opposed to the wishes of a decided majority of the colonists.

That the jealousy and alarm with which this measure is regarded by the community, and the amount of opposition which has been directed against it, cannot be duly estimated without taking into consideration the general apathy that exists in the colony in respect to political matters, and the peculiar difficulties attending the manifestation of public sentiment on any great question arising from the mutual estrangement of an immigrant population, its unsettled and fluctuating character, the immediate pressure of private and domestic necessities, and the absorbing character of those mining and mercantile pursuits in which the great body of the people are engaged.

Collected during the year 1853 by the following Denominations,—
Independents, besides subscribed for 14,000*l.* Five years annually, 5,000*l.*
Free Church 9,000*l.*
United Presbyterians 8,000*l.*
Baptists 7,500*l.*
Wesleyan Association 2,000*l.*
Primitive Methodists 1,000*l.*
Wesleyan Methodists 6,000*l.*
(From one circuit, eight circuits furnishing no statistics.)

Finally, your memorialists have only to bring under the notice of Your Majesty what has already been done by the free contributions of the people in the purchasing of sites, erection of churches and schools, and support of ministers of the gospel, and in overtaking generally, as detailed in the statistics in the margin, the religious wants of the community—in order to demonstrate how groundless are the fears of those who imagine that the country would lapse into heathenism, were state aid withdrawn. And if in any country the various religious denominations may be safely left to their own resources, and to stand upon their own merits, it is in this country, where wealth is so abundant. And your petitioners believe that, were the christian churches thrown on their own resources, an unwonted freshness and energy would characterize them, which would fully keep pace with the spiritual wants of the population.

May it please Your Majesty, were the present Legislative Council entirely composed of members elected by their fellow colonists, and had this clause been enacted by the acknowledged representatives of the people—however much your memorialists might have lamented such a decision—their respect for free institutions would not have permitted them to refer this matter to Your Majesty's revision; but the present constitution of the Council is such as leaves your memorialists no other alternative.

May it therefore please Your Majesty to withhold your Royal Assent from the sixtieth clause in the new constitution, appropriating 50,000*l.* of the public funds for religious purposes.

And your memorialists and petitioners, as in duty bound, will ever pray.

[Signed by 13,000 persons.]

No. 3.

Copy of a DESPATCH from the Right Hon. Sir George Grey, Bart., to Lieutenant-Governor Sir C. Hotham.

(No. 19.) Downing Street, 29th August 1854.

Sir,

I have to acknowledge the receipt of Mr. LaTrobe's Despatch, No. 54, of the 15th April, and of Mr. Foster's, No. 76, of the 22nd May, the one enclosing the copy of a petition to the Queen from a number of residents at Heathcote, McIvor Gold Fields, who pray that Her Majesty will give her assent to the clause in the New Constitution Act for providing an annual grant of 50,000*l.* for religious purposes in Victoria; and the other forwarding a numerously signed memorial, praying that the same clause may not become law.

You will inform the petitioners that I have had the honour to lay both of these memorials before Her Majesty.

I have, &c.,

(Signed) G. Grey.

LONDON:
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For Her Majesty's Stationery Office.

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FURTHER PAPERS

RELATIVE TO THE

ALTERATIONS IN THE CONSTITUTIONS

OF THE

AUSTRALIAN COLONIES.

(*In continuation of Papers presented* 31*st July*, 10*th August, and December* 1854.)

Presented to both Houses of Parliament by Command of Her Majesty,
March 1855.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1855.

[1902]

SCHEDULE.

VAN DIEMEN'S LAND.

VAN DIEMEN'S LAND.

DESPATCHES FROM THE LIEUTENANT GOVERNOR.

Lieut.-Governor Sir W. Denison.	1	Feb. 14, 1854 (Confidential.)	RESPONSIBLE GOVERNMENT. In reply to the Duke of Newcastle's Confidential Despatch of 4th August 1853; and containing Lieutenant-Governor Denison's Views on the future Constitution of the Australian Colonies, and on the question of the introduction into Van Diemen's Land of the system of Responsible Government - - - - - -	1
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	3	Nov. 15, 1854 (47)	ACT TO ESTABLISH A PARLIAMENT. Forwarding "An Act to establish a Parliament in Van Diemen's "Land, and to grant a Civil List to Her Majesty;" and giving a sketch of the proceedings of the Council with relation to the Act, as well as commenting on this enactment - - - - - -	11

DESPATCH FROM THE SECRETARY OF STATE.

The Right Hon. Sir Geo. Grey.		August 3, 1854. (Confidential.)	Reply to Sir William Denison's Confidential Despatch of 14th February, 1854, containing his Views on the future Constitution - - - - - - - - Future Constitution of the Legislative Council. Measures requiring the Authority of an Imperial Act, &c.	20

FURTHER PAPERS

RELATIVE TO THE

ALTERATIONS IN THE CONSTITUTIONS OF THE AUSTRALIAN COLONIES.

VAN DIEMEN'S LAND.

VAN DIEMEN'S LAND.

Despatches from Lieut.-Governor Sir W. Denison.

No. 1.

No. 1.

COPY of a DESPATCH from Lieutenant-Governor Sir W. DENISON to the Duke of NEWCASTLE.

(Confidential.) Van Diemen's Land, Government House, February 14, 1854.

(Received June 28, 1854.)

(Answered July 3, 1854, Confidential, page 20.)

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, dated 4th August 1853*, and marked "Confidential," enclosing a copy of a communication addressed to Sir Charles FitzRoy on the subject of the introduction at no distant period into the principal Australian Colonies of the system of Government commonly termed "Responsible," which communication your Grace has directed me to consider as equally addressed to myself.

I should have replied to this Despatch at an earlier period, and, in conformity with the wish expressed in the last paragraph but one of the communication to Sir Charles FitzRoy, have stated my views on the subject to which it refers, had I not been desirous to afford your Grace some clue to the opinions not only of the members of the present Legislative Council, but of the community at large.

As regards the views of the majority of the Legislative Council, they may be considered to be embodied in the report of the committee on the subject of the new constitution which was forwarded with my Despatch, No. 228†, dated 24th October 1853.

As regards the opinion of the community, it is more difficult to arrive at a conclusion. In one instance where an election has taken place since the prorogation of the Council a pledge was exacted from the successful candidate that he would give his support to a measure providing for an increase in the number of the present members of Council, before the question of the new constitution should be taken into consideration, and three or four petitions for such an increase have been sent in from different parts of the colony,—but upon the whole I should be disposed to say that the state of feeling in the colony was that of indifference to all merely political questions.

Before I say anything as to my own views on the subject of responsible Government, I wish to point out to your Grace, that although the Despatch to which I am now replying is couched in such terms as would justify the assumption that Her Majesty's Government is disposed to grant to the inhabitants of Van Diemen's Land the same privileges which have been conceded to the colonists on the mainland of Australia, yet I have not been honoured with a Despatch affirming this in positive terms.

Your Grace remarks, "that the peculiar circumstances of this colony must for some time continue to produce marked features of political difference from those exhibited by the provinces on the neighbouring continent, but they are not sufficient to affect the principles to which reference is made in the Despatch to Sir Charles FitzRoy, though they may modify their application."

* Page 166 } Of Papers relative to "Australian Constitutions" presented to Parliament by
† Page 162 } Her Majesty's Command, 31st July and 10th August 1854.

VAN DIEMEN'S LAND.

Believing as I do that justice as well as policy would dictate the application to Van Diemen's Land of the same principles as those upon which the Government of the Colonies upon the mainland is hereafter to be conducted, I trust that I may be empowered to speak positively as to the intentions of Her Majesty's Government at the next meeting of the Legislative Council; for I am not of opinion that the difference between this colony and those on the mainland is so marked, at all events politically speaking, as to require any modification in the application of the principle upon which the system of Government of these Colonies is hereafter to be conducted. Indeed, were the present difference even greater than it is, the changes which are produced in the peculiar condition of society by the operation of ordinary causes would, long before the contemplated alteration in the present political system could be brought into action, have very much diminished, if not have entirely removed it.

Believing, then, that no distinction ought to be made between Van Diemen's Land and the other Australian Colonies, and agreeing most fully with your Grace that it would be most unwise to attempt to withhold from the inhabitants of Australia, on the ground of their unfitness to exercise them, privileges which have been conceded to the colonists of North America, I shall assume that the principles of responsible Government will be applied to Van Diemen's Land, and that the various concessions as detailed in the Despatch of Sir John Pakington to Sir Charles FitzRoy, dated 15th December 1852*, so far as they are applicable, will be extended to this colony.

This being the case, the only questions which present themselves for discussion are those which relate to the conditions upon which these privileges are to be conceded, and to the effect which is likely to be produced upon society by their operation.

With reference to these, I may be allowed to express my regret that Parliament should not have taken upon itself in 1850 to frame the new legislative system of these Colonies in accordance with the forms which universal experience has shown to be best adapted to secure wholesome legislation, to check mere party efforts, to neutralize attempts on the part of the Legislature to usurp the functions of the executive, and to check, if not to prevent, collision between the legislative and the executive. Had this been done, and had the measure contained a provision enabling the Legislature under certain conditions to modify the constitution so as to suit the changes which time might render necessary, the introduction of responsible Government would have entailed nothing more than a change in the persons of a certain number of the chief officers of the Government; provision being made, of course, for compensation to those who might justly claim it.

As it is, however, the measure is complicated by the preliminary obligation imposed upon each colony of framing for itself a legislative system in accordance with certain general principles as laid down in Sir John Pakington's Despatch, and as the views of the different Legislatures will not in all probability coincide, there will most likely be four constitutions devised, differing from each other in many essential particulars; it is also pretty certain that these constitutions will differ from the form which was stated by Sir John Pakington to be that which it was the wish of Her Majesty's Government should be adopted.

I believe that in all cases a Second Chamber will be considered as essential, but there will be great differences as to the mode in which this Second Chamber is to be constituted.

In a Despatch to Lord Grey, No. 144†, dated 15th August 1848, I suggested the formation of an Upper Chamber; and the following extracts from that Despatch will explain the grounds upon which I made the suggestion:—

"The members of this, call it Senate, or what you may, will be raised in some measure above the general level of society, they will be rendered independent of popular blame or approbation, but being also free from the suspicion of acting under the control of the Government, they will conciliate popular feeling, and hold a fair position between the Executive and the Legislature.

"I do not presume to enter into any detail of the mode in which such an Assembly should be constituted, further than to express an opinion that the

* Page 44 of Papers on "Australian Constitutions," presented by Her Majesty's command, 14th March 1853.

† Page 30 of similar Papers, presented Her Majesty's command, 25th May 1849.

Government should have as little as possible to do in the nomination or selection of the members.

"There must, of course, be some ex-officio representatives of the Government in the House; the Bishops of the Church of England and of Rome might sit as representatives of the Ecclesiastical bodies; but as the object with which I advocate the establishment of a Second Chamber is more that of operating morally upon the body of the community than of facilitating generally the operations of the Executive Government, I should be loth to recommend the adoption of a plan which might in any way neutralize the beneficial action of such a body upon the mass of the people.

"I also think that in order to render the members perfectly independent of either the Government or the people, they should be appointed or elected for life."

In my Despatch, No. 198*, dated 28th December 1849, in discussing the form of the constitution to be granted to these Colonies, I said, "My opinion, I confess, remains unchanged by anything which I have heard or read since I last addressed your Lordship, indeed, every additional day that I remain in the colony serves to add to the strength of my conviction that it would be most desirable when the change in the form of the Government of this colony does take place, that a Second Chamber should be constituted at once by authority of Parliament. Such Chamber, however, should differ from those which did exist in the North American Colonies, inasmuch as a large proportion of the members should be elected, or otherwise rendered independent of the Government, and they should hold their position for a long period, if not for life."

Everything that has taken place in these Colonies since the passing of the Act 13 & 14 Vict. c. 59, has served to strengthen my conviction of the correctness of the opinions above quoted.

With regard to the constitution of the Second Chamber, it is evident that if the Government is to be conducted in strict accordance with the views of the majority of the Legislature, any attempt to secure a majority in one Chamber by the appointment of persons whose political opinions are known to coincide with those of the head of the executive would only lead to permanent differences between the Chambers, by which the action of the Government would be impeded, and a check imposed upon the onward progress of the Colony.

That the Second Chamber should be constituted in such a manner as to free it from any direct or immediate dependence upon the popular will, would be, I think, desirable.

That it should be elected upon a different principle, and that its members should have higher qualifications than those of the First Chamber, would also probably be advantageous; but I do not attach much importance to the mode of election, whether directly by different and more highly qualified constituencies, or indirectly by a species of double election.

Leaving, however, the consideration of these matters of detail, I may, I trust, be allowed to express a hope that as the principle upon which Her Majesty's Government has acted towards these Colonies, is that of the right of communities such as those now organized in Australia, to legislate generally for themselves, this principle will be carried out according to the spirit, and not according to the letter of Sir John Pakington's Despatch to Sir Charles FitzRoy, No. 95†, dated 15th December 1852.

In this Despatch it is said, "it is the wish of Her Majesty's Government that the Council should establish the new Legislature on the basis of an Elective Assembly, and a Legislative Council nominated by the Crown." I should deprecate any attempt on the part of the Government to compel or even to induce the different Colonial Legislatures to adopt this particular form.

It may, indeed, at first sight appear to be rather an anomalous proceeding on the part of the Government to sanction different systems in Colonies so closely connected as the Australias are with each other, especially as the object of the concessions made to these Colonies was the establishment of an uniformity in the form of Government between them and the Colonies of North America; but the differences, though marked, will not, I believe, be productive of any such

* Page 3 of Papers on "Australian Constitutions," presented to Parliament by Her Majesty's command, 12th April 1850.

† Page 44 of similar Papers, presented 14th March 1853.

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practical inconveniences as would render it necessary or desirable for Her Majesty's Government to insist upon their removal or modification, indeed, the very attempt would create much discontent and many angry feelings, and would afford an opening to the parties whose object it is to break asunder the ties which connect the Colonies to the mother country, of which the members would not fail to avail themselves.

It must be borne in mind, in considering the question of responsible Governments from the point of view in which it has been placed by your Grace—as Government by political parties—that the only clearly defined party objects in these Colonies are those which have reference to the connexion of the Colonies with the mother country,—that there is a party which advocates a complete separation of these Colonies from the mother country there can be no doubt,—and it numbers among its members several active and energetic persons, but the recent concessions made by Her Majesty's Government, by which every reasonable cause of complaint on the part of the colonists has been removed, have deprived this party of all the grounds upon which it could claim the support of the community, and have nearly silenced its members,—I should, therefore, very much regret the adoption of any course, the effect of which would be to recal this party to active existence.

With regard to the effect which will be produced by the introduction of the system of responsible Government into Australia, I am not disposed to think that they will be less satisfactory than those which have resulted from a similar source in North America. Your Grace in the confidential Despatch to Sir Charles FitzRoy, dated 4th August 1853*, has alluded to certain objections which may be made to the adoption of this system in these Colonies, such as the scanty amount of the population, its slight connexion with the soil, the engrossing pursuit of wealth, in which all or nearly all are engaged; that these, which constitute the chief differences between the Australias and the North American Colonies, must exercise a material influence in modifying the action of the system, there can be no doubt.

The scantiness of the population will very much limit the number of persons qualified to act as legislators. The slight connexion which many of the wealthiest and best educated have with the soil will lead on their parts to a practical indifference as to the action of the Government, the effect of which may probably be to throw the business of legislation into the hands of an inferior and less competent class.

The engrossing pursuit of wealth may and probably will lead to indifference as to those questions which, although of great importance to the ultimate welfare of the community, do not bear directly upon its material interests, and will in addition indispose men to devote that time to the service of the colony which might be employed with greater profit to themselves individually in attending to their private affairs, but the effect will be the same whatever may be the form of Government; and I cannot consider these objections to be valid as against the particular form called "responsible," when they would not be entertained for an instant as reasons for refusing to the people the right to control in any way the action of the Government.

Every day, too, will lessen the force of these objections, the rapid influx of immigrants from all parts of the world will speedily correct those evils which originate in the scanty and scattered character of the population.

The extraordinary increase of capital created by gold digging has led to its investment in land to an extent which will in a few years alter materially the character of the population, connecting it much more intimately with the soil; and although the engrossing pursuit of wealth, so long as temptations exist so exaggerated in their character as those which now present themselves to all classes, will of course produce many evil effects, these are not unaccompanied by good.

The facility of acquiring wealth will attract to these Colonies immigrants belonging to the educated class of the community, and though many of these will probably return sooner or later to their native country, their presence even for a time will be beneficial to society, and the very feeling which identifies them with England will be a guarantee that they will never lend themselves to

* Page 166 of Papers relative to the "Australian Constitutions," 31st July and 10th August 1854.

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the views of those whose object it is to separate the Colonies from the mother country.

That there are marked differences between the Australian Colonies, your Grace is well aware, differences proceeding principally from the variation in the conditions on which the waste lands have been alienated from the Crown.

In South Australia the land is more sub-divided and the population is more intimately connected with the soil than in any of the other Colonies. In Van Diemen's Land more capital has been expended in improvements, more fixed and permanent settlements have been made than either in New South Wales or Victoria; but it is unnecessary to allude to these local peculiarities, as they can have no influence in deciding the principle upon which the system of Government is to be based, though they may perhaps hereafter have a marked action upon the character of the legislation in the different Colonies.

I have, &c.

The Duke of Newcastle, (Signed) W. DENISON.
&c. &c. &c.

No. 2.

No. 2.

COPY of a DESPATCH from Lieutenant-Governor Sir W. DENISON to the Right Hon. Sir GEORGE GREY, Bart.

(No. 46.)

Van Diemen's Land, Government House,
November 15, 1854.

SIR, (Received February 12, 1855.)

I HAVE the honour to forward herewith "An Act to establish new Electoral Districts in the Colony of Van Diemen's Land, and to increase the Number of Members of the Legislative Council thereof."

In my Confidential Despatch, dated 14th February 1854*, addressed to his Grace the Duke of Newcastle, I mentioned the fact that several petitions had been addressed to the Council, praying for an increase of the number of the members, and a better arrangement of the electoral districts, and I also stated that in one case a member had been returned to serve in the Council under a distinct and positive pledge to vote for a measure which should carry out the views embodied in these petitions. The Bill which I now forward was introduced by the member above alluded to, and having passed the Council after a good deal of opposition on the part of several of the elected members, was submitted to me for my assent, and as in my opinion it is most desirable that an addition should be made to the number of members, I had no hesitation in assenting to it.

* Page 1.

It is but right that I should inform you that a question was raised as to my power to assent to such an enactment; but on reference to the law officers, whose opinion I herewith enclose, I was assured that I should be justified in so doing, as the rule laid down by the law officers in England is applicable to the Customs Act (which opinion was forwarded in a Despatch from his Grace the Duke of Newcastle, No. 89,† dated 15th June 1853) was equally applicable to the enactment in question.

It may perhaps be thought that as the new Constitutional Act has passed, the proposed change in the number of the members of the present Council would be unnecessary; but as it must appertain to this body to divide the country into electoral districts, and to decide upon the mode of election of the members of the Upper Chamber, it is desirable that the expression of the opinion of the colonists on these subjects should be as full and as decided as possible.

I trust, therefore, that you will be able to advise Her Majesty to approve of this Act.

I have, &c.
(Signed) W. DENISON.

The Right Hon. Sir G. Grey, Bart. G.C.B.
&c. &c. &c.

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† Page 165 of Papers on "Australian Constitutions," presented to Parliament by Her Majesty's command, 31st July and 10th August 1854.

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Encl. 1 in No. 2.

Enclosure 1 in No. 2.

ANNO DECIMO OCTAVO VICTORIÆ REGINÆ.

No. 15.

By his Excellency Sir William Thomas Denison, Knight, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies, with the advice and consent of the Legislative Council.

AN ACT to establish new Electoral Districts in the Colony of Van Diemen's Land, and to increase the Number of Members of the Legislative Council thereof.

[1st November 1854.]

Preamble.

13 & 14 Vict. c. 59.

Sec. 7.

WHEREAS, by an Act of the Imperial Parliament of Great Britain and Ireland, passed in the fourteenth year of the reign of Her present Majesty Queen Victoria, intituled "An Act for the better Government of Her Majesty's Australian Colonies," it was, amongst other things, enacted that it should be lawful for the Legislatures, then by law established, within the colonies of Van Diemen's Land and South Australia respectively, by laws or ordinances to be for that purpose made and published, in the manner and subject to the conditions then by law required in respect of laws or ordinances made by such Legislatures, to establish within the said colonies of Van Diemen's Land and South Australia respectively a Legislative Council, to consist of such number of members, not exceeding twenty-four, as they should think fit, and that such number of the members of each Council so to be established as is equal to one third part of the whole number of members of such Council, or if such whole number be not exactly divisible, by three such number as is next greater than one third of the whole number should be appointed by Her Majesty, and that the remaining members of such Council should be elected by the inhabitants of the colony in which such Council should be established: And whereas, by the said recited Act of Parliament, it was further enacted that it should be lawful for such Legislatures respectively, by such laws or ordinances as aforesaid, to make all necessary provisions for dividing the said colonies of Van Diemen's Land and South Australia into convenient electoral districts, and for appointing and declaring the number of members of Council to be elected for each such district: And whereas, by the Act of Council or Ordinance of this Island, passed in the fifteenth year of the reign of Her said Majesty, numbered one, a Legislative Council, consisting of twenty-four members, has been established within the colony of Van Diemen's Land and the said colony, divided into electoral districts, and the number of members of Council for each such district, appointed and declared under and pursuant to the provisions of the said recited Act of Parliament: And whereas, by the said recited Act of Parliament, it was further enacted that it should be lawful for the Governors and Legislative Councils of the colonies of Victoria, Van Diemen's Land, South Australia, and Western Australia respectively, after the establishment of Legislative Councils therein, under the said recited Act of Parliament, from time to time, by any Act or Acts, to establish new electoral districts in any parts of the said colonies respectively, and to alter the divisions and extent of the electoral districts of the said colonies, and to alter and appoint the number of members of Council to be chosen by the said districts, and to increase the whole number of members of such Legislative Councils respectively, provided that where the whole number of members of Council should be increased, such number of the additional councillors as is equal to one third part of the whole increase, or, if such whole increase should not be exactly divisible by three, such number as is next greater than one third of the whole increase should be appointed by Her Majesty, and that the remaining additional members of Council should be elected by the inhabitants of the colony: And whereas it is deemed expedient to establish new electoral districts in this colony, and to alter the divisions and extent of certain of the electoral districts into which this colony is now divided as aforesaid, and to alter and appoint the number of members of Council to be chosen by certain of such electoral districts, and to increase the whole number of members of the Legislative Council of this colony in manner herein-after mentioned: Be it therefore enacted, by his Excellency Sir William Thomas Denison, Knight, Lieutenant-Governor of the island of Van Diemen's Land, and its dependencies, with the advice of the Legislative Council of the said island, as follows; (that is to say,)

15 Vict. No. 1.

Re-defines the boundaries of the electoral districts of Westbury and Oatlands.

I. So much of the said recited Act of Council of this island as defines the boundaries of the electoral districts of Westbury and Oatlands shall be and the same is hereby repealed, and thenceforth the said electoral district of Westbury shall be taken to be and be bounded as follows; (that is to say,) bounded on the north-east by the south-western boundary of the electoral district of Cornwall, commencing at the junction of that boundary with the north-west boundary of the parish of Wells, and extending south-easterly to Lot 710; thence on the east by the said district, extending along the east boundaries of Lots 549 and 347, and along the western boundaries of locations to R. Bostock and James Hill to the Meander River; thence on the north by that river to its junction with the Liffey, and on the east and south by that river to its source; thence by a westerly line to the river Meander; thence by that river to its source in Lake Meander, and thence by a westerly line to Platform Bluff; thence on the western side by a northerly line, passing the extreme Western Bluff, and extending to the river Mersey, at the crossing of the Van Diemen's Land Companies, or Great Western Road; thence, crossing that river on the southern side, by that road westerly for about five miles; thence by a line to the source of the Dasher River; thence

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by that river to its junction with the river Mersey; thence by a line crossing the river Rubicon, and extending north-easterly to the point of commencement: and the said electoral district of Oatlands shall be taken to be and be bounded as follows; (that is to say,) commencing at the southern angle of Lot 892, purchased from the Crown by Thomas Learmonth, on the Little Swanport River, and bounded on the east by the Little Swanport River, to its junction with a rivulet; thence by a south-easterly line through James Hobbs's 1,000 acres; thence by the south-east boundary of a grant to Daniel Stanfield of Lots 253, 254, and 255, and by the south-east boundaries of the parishes of Whitefoord and Bisbee, on the south by the parish of Ormaig, extending westerly to the Coal River, and crossing that river to the Quoin Mount; thence by a north-westerly line to the Quoin Rivulet, by that rivulet to the river Jordan; thence on the western side by that river to the Exe Rivulet; thence on the south-western and southern sides by that rivulet to its source; thence by the southern and western boundaries of the parish of Exmouth, and by the eastern boundary of the parish of Woodstock to Lake Crescent; thence by that lake to the parish of Milton, in the electoral district of Campbell Town; thence by that parish to Millbrook; thence by Millbrook and the Blackman River to Macquarie River, and by the Macquarie River, and crossing it to the south-east boundary of Lot 290, purchased from the Crown by Henry Stevenson Hurst, known as the Island, and by that boundary to the southern branch of the Macquarie River, and by that branch to Tooms' Lake; by the south-western margin of that lake, and by the eastern boundaries of the parishes of East Grinstead and Sligo to the north-west boundary of a location to George Marshall, and by that boundary, and by the north-west and south-west boundaries of Lot 892, purchased from the Crown by Thomas Learmonth, to the point of commencement.

Oatlands.

II. The following new electoral districts shall be, and the same are hereby established within this colony; (that is to say,) all that part of this colony bounded as follows; (that is to say,) bounded on the east by the sea from Doctor's Creek, near Long Point, to Little Swanport River; thence by that river to the southern angle of Lot 892, purchased from the Crown by Thomas Learmonth, on the west by the south-west and north-west boundaries of that lot and of a location to George Marshall, and by the eastern boundaries of the parishes of Sligo and East Grinstead to Tooms' Lake; thence by the south-western margin of that lake, and by the southern branch of the Macquarie River, to the south-east boundary of Lot 290, purchased from the Crown by Henry Stevenson Hurst, known as the Island, and by that boundary to the northern branch of the Macquarie River; thence by that river to a location to John Dickenson; thence on the south-western side by the electoral district of Campbell Town, extending along the Eastern Tiers to the Elizabeth River; thence by that river, and by the eastern boundary of the parish of Campbell Town, to the junction of the three parishes of Campbell Town, Salisbury, and Eastbourne; thence on the north by the said eelctoral district of Campbell Town, extending along the summit of the tiers lying on the eastern side of the St. Paul's River to the Doctor's Creek aforesaid, shall form an electoral district, under the denomination of the Electoral District of Glamorgan; and all that part of this colony bounded as follows; (that is to say,) bounded on the west and north by the sea from a point on the west coast, distant twenty-three miles or thereabouts, in a northerly direction, from the mouth of King's River, and extending to Badger Head; from thence on the north-east by the south-west boundaries of the parishes of Stockport and Phillips Norton; thence by a south-westerly line crossing the river Rubicon, and extending to the junction of the Dasher and Mersey Rivers; thence by the Dasher to its source, and a southerly line from thence to the old Van Diemen's Land Company's Road; thence by that road in an easterly direction to the river Mersey; thence crossing the same by a south line, passing the extreme Western Bluff to Platform Bluff, and by an easterly line to Lake Meander; thence by a south-west line to Lake Julian; thence by another south-westerly line to Lake Pillans; thence in a south-easterly direction to Lake Ada, and thence by a westerly line to the sea, at the point of commencement, shall form an electoral district, under the denomination of the Electoral District of Wellington.

Establishes the new electoral districts of Glamorgan and Wellington.

III. The whole number of members of the said Legislative Council of the colony of Van Diemen's Land shall be increased by the additional number of nine members, and the said Legislative Council shall thenceforth consist of the said twenty-four members and the said nine additional members, amounting in all to thirty-three members, three of which said additional members shall be appointed by Her Majesty, according to the provisions of the said recited Act of the Imperial Parliament, and the other six of such additional members be elected as herein-after provided.

Number of members of Council increased from 24 to 33.

IV. The said six additional elective members shall be chosen and returned according to the provisions of the said recited Act of Council of this island by the electoral districts following; (that is to say,) the electoral districts of Hobart Town, Launceston, Cornwall, and Buckingham, established by the said recited Act of Council of this island, shall respectively return one of such additional elective members, and the new electoral districts of Glamorgan and Wellington hereby established shall respectively return one of such additional elective members.

What districts to return the additional elective members.

V. It shall be lawful for the Lieutenant-Governor of this colony to issue the proper writs for the election of the said additional elective members in the same manner as he is now authorized and empowered to do by the said recited Act of Council of this island in the case of a general election.

Lieutenant-Governor to issue writs.

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Provisions of 15 Vict. No. 1. to apply to new electoral districts and to additional members.

VI. Nothing in this Act contained shall be taken to alter or repeal any part of the said recited Act of Council of this island, save in so far as it relates to the division of this colony into electoral districts to the persons entitled to vote at the election of members for the electoral districts of Westbury and Oatlands, and to the number of members of the said Legislative Council, but the same save as aforesaid shall be of full force and effect, as well with reference to existing electoral districts as to electoral districts hereby established, and as well with reference to existing Members as to such Members as are hereby added to the said Legislative Council, and all the enactments, clauses, provisions, and penalties of the said recited Act of the Imperial Parliament, and of the said recited Act of Council of this island shall be deemed and are hereby declared to extend and apply to the electoral districts hereby established, and to the appointment of returning officers, the fixing of polling-places, the appointment of collectors, the compilation of electoral lists, the revision thereof, and all matters otherwise relating thereto in respect of such new electoral districts, and to extend and apply to the said Council hereby increased, and all the proceedings thereof and connected therewith, and to the nomination, appointment, resignation, writs of election, proceedings at elections, disputed returns, and election petitions of, for, and against the aforesaid additional members in such and the same manner, and as fully and amply as the same extend or apply to existing electoral districts, and to the appointment of returning officers, the fixing of polling-places, the appointment of collectors, the compilation of electoral lists, the revision thereof, and otherwise relating thereto in respect of such existing electoral districts, and as the same extend or apply to the said Council previous to its being so increased as aforesaid, and to the nomination, appointment, resignation, writs of election, proceedings at elections, disputed returns, and election petitions of, for, and against the several members thereof.

Persons entitled to vote at the election of a member for Glamorgan and Wellington until proper electoral rolls made out.

VII. Provided that for the purposes of the first election of the additional member so to be returned by the said new electoral district of Glamorgan, and of any future election of a member for the said new electoral district of Glamorgan, which shall be holden prior to the electoral roll of such electoral district of Glamorgan, being made out pursuant to the provisions of the said recited Act of Council of this island, every person whose name is inserted in the electoral roll for the time being of the electoral district of Oatlands, in respect of property situate within the said new electoral district of Glamorgan, shall be entitled to vote at such election, and for the purposes of the first election of the additional member so to be returned by the said new electoral district of Wellington, and of any future election of a member for the said new electoral district of Wellington, which shall be holden prior to the electoral roll of such electoral district of Wellington, being made out pursuant to the provisions of the said recited Act of Council of this Island, every person whose name is inserted in the electoral roll for the time being of the electoral district of Westbury, in respect of property situate within the said new electoral district of Wellington, shall be entitled to vote at such election.

Persons entitled to vote for Glamorgan or Wellington not entitled to vote for Westbury or Oatlands.

VIII. No person whose name is inserted in the now existing electoral roll of the electoral district of Oatlands, in respect of property situate within the said new electoral district of Glamorgan, shall in respect of such property be entitled to vote at any future election of a member for the said electoral district of Oatlands; and no person whose name is inserted in the now existing electoral roll of the electoral district of Westbury, in respect of property situate within the said new electoral district of Wellington, shall, in respect of such property, be entitled to vote at any future election of a member for the said electoral district of Westbury.

Present Council not to be dissolved by this Act.

IX. Nothing in this Act contained shall be taken to imply the dissolution of the now existing Legislative Council of the colony of Van Diemen's Land, or to abridge, extend, or interfere with the period of the lawful determination thereof.

RICHARD DRY, Speaker.

Passed the Legislative Council this twenty-third day of October, One thousand eight hundred and fifty-four.

FR. HARTWELL HENSLOWE,
Clerk of the Council.

In the name and on the behalf of Her Majesty I assent to this Act.

W. DENISON,
Lieut.-Governor.

Government House, Hobart Town,
1st November 1854.

Encl. 2 in No. 2.

Enclosure 2 in No. 2.

ROYAL ASSENT. OPINION OF THE LAW OFFICERS.

MESSAGE No. 32.

SIR, Crown Solicitor's Office, October 14, 1854.

I DO not feel any doubt in replying to the question submitted to me in your letter of the 4th instant, as to the power of the Lieutenant-Governor to assent in the name of Her Majesty to any Bill which may pass the Legislative Council having the effect of increasing the number of members.

The object of the Act 13th & 14th of Victoria—"An Act for the better Government "of Her Majesty's Australian Colonies"—was obviously, and at no distant period, to establish in the Colonies, to the government of which its provisions are directed, the same general frame of government that prevailed in the mother country, modified and corrected merely by such limitations as their physical and social character must inevitably suggest. With this statesmanlike object, as it would seem, the Act to which I have referred originated and became law.

Its provisions are consistent. Few things in legislation are beyond the powers of the Lieutenant-Governor and the Legislative Council. To the validity of some of their Acts, however, the Queen's consent is a condition precedent.

By the 11th section of the Act which we are considering, the question, as it seems to me, is answered. By that section it is, amongst other things, provided that "after the establish-"ment of a Legislative Council in Van Diemen's Land it should be lawful for the Governor "and Legislative Council from time to time by any Act or Acts to establish new electoral "districts in any parts of the said colonies respectively, and to alter the divisions and extent "of the electoral districts of the said colonies, and to alter and appoint the number of "members of Council to be chosen by the said districts, and to increase the whole number "of members of such Legislative Council respectively."

There is here no such restriction as that contained in the 32nd section. By that section more extensive powers are conferred on the Governor and Legislative Council; such, for instance, as the substitution for a Legislative Council "a Council and a House of Representatives:" but it is thereby "provided that every such Bill so passed in the Colonies for "any such purposes [I have thought it unnecessary to enumerate more than one] should be "reserved for the consideration of Her Majesty's pleasure thereon, and that a copy of such "Bill should be laid before both Houses of Parliament for the space of thirty days at the "least before Her Majesty's pleasure thereon shall be signified."

I hold it to be clear and constitutional law, that where no such provision as this latter is contained in a statute, the assent to it by the Governor of the colony in the name of Her Majesty is above all question; and, holding such opinion, I can entertain no doubt that the Lieutenant-Governor has the power, in the name of Her Majesty, to assent to any Bill which may pass the Legislative Council having the effect of increasing the number of members.

I have, &c.
(Signed) EDWARD MACDOWELL.

The Hon. the Colonial Secretary,
&c. &c. &c.

October 25, 1854.

IN obedience to his Excellency's directions conveyed in the Colonial Secretary's letter of the 4th instant, I have very carefully considered whether the Lieutenant-Governor has the power to assent in Her Majesty's name to any Bill which may pass the Legislative Council having the effect of increasing the number of members.

The solution of the question depends on the true construction of certain clauses of two statutes relating to the constitution of the Australian Colonies; viz.,—the 5 & 6 Vict., c. 76, the Constitutional Act of New South Wales, and the 13 & 14 Vict., c. 59, the Constitutional Act of the Australian Colonies.

I think it will be found convenient to bring together in one view the several portions of those statutes which bear upon the subject.

By the 5 & 6 Vict., c. 76, the Legislative Council of New South Wales was empowered by any Act (inter alia) to increase the number of members (section 4). But all Bills having that effect, as well as Bills altering the salaries of the Governor and Judges, or the Customs' Duties, were directed to be reserved for the signification of Her Majesty's pleasure in every case (section 31).

By the 13 & 14 Vict., c. 59, the Governor and Council of each of the Australian Colonies, and amongst others those of New South Wales and Van Diemen's Land, are expressly empowered by any Act, amongst other things, to increase the number of members (section 11); and also, subject to the provisions of that Act and notwithstanding any statutes in force to the contrary, to alter the Customs' Duties (section 27). But, subject to the provisions therein contained, all the provisions of the 5 & 6 Vict., c. 76, relating (inter alia) to the reservation of Bills for the signification of Her Majesty's pleasure, are to be in force in Van Diemen's Land, as if such provisions were there repeated, the name of Van Diemen's Land being substituted for that of New South Wales.

Such being the enactments bearing on the subject, the question arises whether it is still necessary that Bills increasing the number of members, and altering the Customs' Duties (for the same reason applies to both kinds of Bills), should be reserved for the signification of the Queen's pleasure since the 13 & 14 Vict., c. 59, as it was unquestionably necessary that they should under the 5 & 6 Vict., c. 76?

Now, on the one hand, it may be argued that if such Bills are no longer to be reserved, there was no need that the clause requiring such reservation should be incorporated with the

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statute. Taking the words of the incorporating section to the full extent of their meaning, the clause requiring such Bills to be reserved is to apply to Van Diemen's Land as if it had been repeated in the Act, with the substitution of the name of Van Diemen's Land for that of New South Wales. If it is to be taken as so repeated, it ought to have some operation; and yet if it is not to have the effect of causing Bills altering the number of members and the Customs' Duties to be reserved for the signification of the Queen's pleasure, it can have no operation whatever. For Bills altering the Governor's salary are expressly provided for by section 18, and the salaries of the Judges are expressly taken out of its operation by section 13. There only remain, then, the two other classes of Bills; viz.,—those affecting the constitution of the Council, and those affecting Customs' Duties; and either the clause is wholly nugatory, or it must operate to compel the reservation of Bills of the nature last alluded to.

On the other hand, it may be, with equal cogency, contended that it was wholly unnecessary to insert the 11th and 27th sections of the 13 & 14 Vict., c. 59, if it was not intended by those sections to confer other and fuller powers on the new Legislatures than those given by the former Act to that of New South Wales. The Legislature of New South Wales was invested (section 4 of 5 & 6 Vict., c. 76) with the power of altering the electoral districts and number of members,—subject, however, to the reservation of such Bills for the signification of the Queen's pleasure. There could clearly, therefore, be no object in the insertion of the clause (section 11), especially as regards New South Wales, unless a new and unconditional power was intended to be given. The fair inference, therefore, would appear to be, that a fuller power was intended; and that inference is much strengthened by the manner in which the restrictive clause (section 31 of 5 & 6 Vict., c. 76) is introduced. It is only "subject to the provisions herein contained" that the restrictive clause is applied to Van Diemen's Land by the 13 & 14 Vict., c. 59, sec. 12. And one of the provisions contained in the Act being an express power to alter the number of members, &c. the implication is very strong that the power so given was not intended to be affected by the restrictive clause. This is further strengthened by the fact that the more extended power contained in the 32nd section to alter the constitution of the Legislature is expressly made subject to the reservation of any Bill for the purpose.

There are difficulties, therefore, attendant on either construction,—difficulties arising from the mode in which the statute is framed. It appears to me, that the principal cause of the inconsistency between the several clauses affecting the question was the incorporation of the provisions of the 5 & 6 Vict., c. 76, by way of reference, instead of by express words. Some of the provisions appear to me to have been included in the general enumeration incautiously, which would have been less likely to occur if such provisions had been inserted at full length, instead of being adopted by general words of reference. It is not the first time that this mode of framing statutes has caused doubt, and, indeed, defeated the intention of the Legislature; for instance, in Rex v. Recorder of Bath, 9 A. and E. 837, the Judges of the Court of Queen's Bench were obliged to decide against a right of appeal plainly intended to be given, but which was given only by reference to another Act that did not give it; and they lamented that the Legislature had proceeded by way of reference, instead of directly telling what it meant.

The various provisions relating to the reservation of Bills for the signification of Her Majesty's pleasure contained in the statute being thus inconsistent and contradictory, it becomes really almost impossible to ascertain, with any degree of certainty, what is their actual operation; and I must confess that, in the absence of a better and more authoritative opinion on the point, I should have entertained too much doubt to enable me to advise his Excellency, on my own responsibility, that he possessed the power in question. The point has, however, been virtually decided by the opinion of the law officers of the Crown, in England—an opinion of high authority and great weight, and entitled to the utmost confidence. Those learned gentlemen have advised that the Governors of the Australian Colonies have power to assent to Bills altering the Customs' Duties, and, pari ratione, to Bills altering the number of members of Council. There can be no manner of doubt that the same rule governs both classes of Bills; for the 27th section, upon which the opinion of the law officers of England proceeds, gives no greater or other powers whatever with respect to the imposition of Customs' Duties than the 11th section does with regard to the alteration of the number of members of Council, &c. The non obstante clause ("notwithstanding any Act or Acts of Parliament now in force to the contrary") does not refer to the restrictive provisions contained in section 31 of the 5 & 6 Vict. c. 76, but to the series of statutes commencing with the 59 Geo. 3, c. 114, and ending with the 3 Geo. 4, c. 96, by which the colonial authorities were prohibited from levying customs' duties on any imports from Great Britain, except spirits and tobacco. Seeing, then, that the law officers of the Crown in England have virtually given their opinion that the Lieutenant-Governor has the power of assenting to a Bill of this nature, and considering that the power has been exercised without a question in some of the neighbouring colonies, I conceive that the Lieutenant-Governor may safely exercise his discretion as to whether he will assent or not in Her Majesty's name to a Bill having the effect of altering the number of members of Council, notwithstanding that I have not been able to dispel from my mind all doubts upon the subject.

F. Smith, junior.

No. 3.

COPY of a DESPATCH from Lieutenant-Governor Sir W. DENISON to the Right Hon. Sir GEORGE GREY, Bart.

(No. 47.) Van Diemen's Land, Government House, November 15, 1854.
(Received February 12, 1855.)

SIR,

I HAVE the honour to forward herewith an Act intituled "An Act to establish a Parliament in Van Diemen's Land, and to grant a Civil List to Her Majesty," which has in accordance with the provisions of the Act of Parliament 5 & 6 Vict. c. 76. been reserved by me for the signification of Her Majesty's pleasure thereon.

2. In my Despatch, No. 228*, dated 24th October 1853, I forwarded to his Grace the Duke of Newcastle a series of resolutions affirming certain principles upon which the majority of the members of the present Legislative Council were of opinion the new constitutional Act for this colony should be framed. A committee was appointed at the commencement of the present session to frame a Bill in accordanee with these principles, and the report with the Bill was brought up on the 29th September 1854.

In several instances the Bill differed most materially from the report of the former committee. In some instances the changes were for the better, in others for the worse, but the Bill still, as it was explained to the members by the Colonial Secretary, embodied many provisions relating to matters as to which the Council had no jurisdiction.

3. By the mail which arrived on the 21st October, I received your confidential Despatch, dated 2d August 1854,† in reply to one addressed by me to his Grace the Duke of Newcastle on the 14th February 1854,‡ in which I was told that the course which had been adopted by the Legislatures of the other Australian Colonies of passing Acts containing provisions which they were not competent to enact, was open to objection and productive of considerable inconvenience, and that it was desirable that in any Act to be passed in Van Diemen's Land, this course of proceeding should be avoided, and that the provisions of the Act should be restricted within the ample powers legally possessed by the existing Legislature of the colony.

†Page 20.

‡Page 1.

4. As the Bill had already been read a second time, and in most of the clauses had been considered in committee, the only mode in which it was competent to me to act without affording an opening to the charge of interfering with the privileges of the Council, was to send down a message containing the substance of the latter paragraph of your Despatch, as quoted above. In this case I should have been asked to lay the Despatch upon the table, and as on reference to that addressed by me to his Grace the Duke of Newcastle, as well as to your reply, I could not discern any matter of so confidential a character as to require to be kept secret, I thought it the most advisable plan to lay the whole of the correspondence before the Council—a course which was duly appreciated by the members.

5. In consequence of the suggestions contained in your Despatch, the Bill was recommitted, all the objectionable clauses expunged, and the enactment assumed the shape in which I now forward it.

6. Before I enter upon any explanations of the different clauses I may as well state, that while the Bill was in the hands of the committee I addressed a letter to the chairman, Mr. Dry, the Speaker of the Council, containing my views as to the constitution of the Upper Chamber. I subsequently laid a copy of this letter before the Council, and I forward it herewith, as bearing upon the subject now under consideration.

27th April 1854.

7. Having given this brief sketch of the proceedings of the Council with relation to the Act, I will now proceed to comment upon the enactment itself.

8. It provides for the substitution in the place of the present Council of two Houses to be named respectively the Legislative Council and House of Assembly.

These bodies are to be altogether elective, and to the present Council (as extended by the operation of the Act 18 Vict., No. 15, which will be forwarded shortly) will appertain the responsibility of dividing the colony into

* Page 162 of Papers on the "Australian Constitutions," presented to Parliament by Her Majesty's command, 31st July and 10th August 1854.

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proper electoral districts, and making all the necessary arrangements for the elections.

9. It will still therefore be in the power of the Council to adopt the scheme proposed in my letter to Mr. Dry, to make the whole colony into one electoral district, and to give to the members of the Upper House the *prestige* of being elected by the free unsolicited choice of the community.

10. By the third clause, the Governor and the Legislative Council and the House of Assembly are to be styled collectively the Parliament of Van Diemen's Land. The idea of combining the Legislature and Executive under one general head as "the Parliament" is a novel one, but I do not see that any practical inconvenience can arise from such a change of style.

11. The Legislative Council is to consist of fifteen members, who are to be elected by persons having a freehold estate worth fifty pounds per annum; certain other persons who are supposed from their position to be entitled to rank as the educated class of the community can claim to vote as electors without being possessed of such freehold estate.

12. Having thus provided for the respectability of the electors, the only limit placed upon their power of selection is, that the candidate should be thirty years of age, and a natural-born or naturalised subject of Her Majesty.

The members of the Legislative Council will go out in rotation, five retiring at the end of every three years, so that after the second election each member will sit for nine years.

13. The House of Assembly is to consist of thirty members, and any person (with the exception of the judges of the Supreme Court or ministers of religion) is competent to be elected a member.

14. The absence of any qualification for members would appear intended to throw open the doors of the House of Assembly to all classes of persons, but practically the expense attendant upon a residence in Hobart Town during the sessions of the Council, will operate to prevent persons without adequate means becoming candidates for the representation of any of the electoral districts, with the exception of perhaps those in Hobart Town itself, or in its immediate vicinity.

15. The qualification of the electoral body, though apparently the same as at present, inasmuch as it is based upon the occupancy of a house of the annual value of ten pounds, will admit of a great extension of the numbers on the electoral roll, inasmuch as all persons receiving a salary of 100*l.* per annum are entitled to vote, and all persons who may be considered to belong to the educated classes have a vote for the election of members of the House of Assembly as well as of the Legislative Council.

16. The Clauses from 18 to 29 inclusive, do not appear to call for any remark.

17. Clause 30 provides for the payment of the salaries of the Lieutenant-Governor, of the Judges, and law officers of the Crown, of the Colonial Secretary, Colonial Treasurer, and the Auditor. A sum of 2,000*l.* is also reserved for the payment of pensions, as in the Schedule of the Imperial Act 13 & 14 Vict. c. 59; and in Clause 31, a sum of 15,000*l.* is reserved for public worship.

18. The actual amount of the Civil List as exhibited in the Schedule to this Act is not equal to the amount reserved by the Schedules of the Imperial Act; the latter, however, includes not only the salaries of the principal officers in the service of the Government, but all the clerks and other subordinate agents in the departments of the Colonial Secretary, the Colonial Treasurer, and the Auditor, together with the sums required to cover the various expenses connected with the administration of justice, expenses which must necessarily fluctuate from year to year, and which had better therefore be provided for by an annual vote of the Council.

19. I am of opinion, therefore, that the amount of this Civil List is fully adequate to guarantee the independence of the Government and the Judges, and generally the objects for which the sums inserted in the Schedules of the Imperial Act were reserved.

20. By Clause 32, compensation is provided for officers who may be liable to loss of office; and it is left at the option of these officers either to accept at once a pension equal in amount to three-fourths of their salary, or to take the

amount shown in the second part of Schedule D., as a compensation for the loss of their chance of a pension hereafter, should they be able to retain office under the new system of responsible Government.

21. The scheme adopted by the Council appears to me both reasonable and just. It affords the present holders of the offices of Colonial Secretary, Attorney General, and Colonial Treasurer, the option of either relinquishing office at once, in which case they will receive the full amount of the pension placed against their names in the first division of Schedule D., or of accepting the sum inserted in the second division of the said schedule, and of retaining office under the double liability of not being able to find a constituency to return them as members of the House of Assembly, or of not being able, if returned, to command a majority in the Assembly.

22. The Government too will be in the position of having a chance of securing the services of competent persons well acquainted with their duty, instead of being compelled to select its officers from the untried members of the Assembly.

23. Upon the whole I am disposed to anticipate favourably of the working of the Act, and have no hesitation in recommending it for Her Majesty's approval.

I have, &c.
(Signed) W. DENISON.

The Right Hon. Sir G. Grey, Bart.,
&c. &c. &c.

Enclosure 1 in No. 3.

Encl. 1 in No. 3.

ANNO DECIMO OCTAVO VICTORIÆ REGINÆ.

No. 17.

By his Excellency Sir William Thomas Denison, Knight, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies, with the Advice and Consent of the Legislative Council.

AN ACT to establish a Parliament in Van Diemen's Land, and to grant a Civil List to Her Majesty. [1st November 1854.]

Preamble.

WHEREAS by an Act of Parliament passed in the fourteenth year of the reign of Her present Majesty, intituled "An Act for the better Government of the Australian Colonies," it was amongst other things enacted that notwithstanding anything therein contained it should be lawful for the Governor and Legislative Council of the colony of Van Diemen's Land after the establishment of a Legislative Council therein under the said Act from time to time by any Act or Acts, to alter the provisions or laws for the time being in force under the said Act or otherwise, concerning the election of the elective members of such Legislative Council, the qualification of electors and elective members, or to establish in the said colony, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Houses, to consist respectively of such members, to be appointed or elected respectively by such persons and in such manner as by such Act or Acts should be determined, and to vest in each Council and House of Representatives, or other separate Legislative Houses, the powers and functions of the Legislative Council for which the same might be substituted: And whereas it is expedient, for securing the peace, welfare, and good government of this colony, for the Governor and Legislative Council to exercise the powers given to them by the Imperial Act for the purpose of vesting the powers and functions of the Legislative Council of this colony in a Legislative Council and House of Assembly to be constituted in manner herein-after mentioned: Be it therefore enacted by the Lieutenant Governor of Van Diemen's Land, by and with the advice and consent of the Legislative Council thereof, as follows:—

A Legislative Council and a House of Assembly substituted for present Legislative Council.

I. There shall be in place of the present Legislative Council of Van Diemen's Land one Legislative Council and one House of Assembly in the said colony, to be severally constituted in the manner herein-after prescribed, and such Legislative Council and House of Assembly shall, after the dissolution as herein-after provided of the existing Legislative Council, have and exercise all the powers and functions of the said existing Legislative Council.

Present Council to make electoral districts.

II. For the purpose of electing members to serve in the Legislative Council and House of Assembly, the Governor and now existing Legislative Council shall, by an Act to be passed for that purpose after this Act shall commence and take effect, establish convenient electoral districts for the return of members to the said Council and Assembly, and shall determine the number of members to be returned for each district to the said Council and Assembly, and shall make all necessary provisions for the issuing, executing, and returning

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the necessary writs for the election of such members; the appointing of returning officers; the taking the poll; the place and time of the elections; the completion and revision of lists of persons qualified to vote; for determining the validity of all disputed returns; and for ensuring the orderly, impartial, and effective conduct of such elections; and immediately upon the issue of the writs for the first election of members of such Legislative Council and House of Assembly the existing Legislative Council shall ipso facto be dissolved, and the powers and functions thereof shall cease.

When existing Council dissolved.

III. The Governor and Legislative Council and House of Assembly together shall be called "The Parliament of Van Diemen's Land."

Governor and two houses to be called the Parliament.

IV. The Governor shall fix such times and places for holding the first and every other session of the Parliament of the said colony, and vary and alter the same respectively in such manner as he may think fit, giving sufficient notice thereof, and also from time to time prorogue the said Parliament and dissolve the said House of Assembly, by proclamation or otherwise, whenever he shall deem it expedient: Provided always, that nothing herein contained shall be construed to empower the Governor to dissolve the Legislative Council.

Governor to fix the times and places for holding the session of Parliament.

V. There shall be a session of the said Parliament at least once in every year, so that a period of twelve calendar months shall not intervene between the last sitting in one session and the first sitting in the next session.

Session of Parliament once in every year.

VI. The Legislative Council shall consist of fifteen elected members, and every man of the age of twenty-one years, being a natural-born or naturalized subject of Her Majesty, or legally made a denizen of Van Diemen's Land, and having a freehold estate in possession, legal or equitable, within the district for which his vote is to be given, of the clear annual value of fifty pounds sterling money above all charges and incumbrances in any way affecting the same of or to which he has been seised or entitled, either at law or in equity, for at least six months next before the date of the writ for such election, or when a registration of electors shall be established next before the last registration of electors, or being a graduate of any university in the British dominions, or a barrister or solicitor on the roll of the Supreme Court of Van Diemen's Land, or a legally qualified medical practitioner, or an officiating minister of religion, or an officer or retired officer of Her Majesty's land or sea forces not being on actual service and resident in the district for which his vote is to be given, at least twelve months before the date of the writ for such election, shall be entitled to vote at the election of a member to serve in such Legislative Council.

Legislative Council to consist of fifteen members.

Qualification of electors.

VII. No person shall be capable of being elected a member of the Legislative Council who shall not be of the full age of thirty years, and a natural born or naturalized subject of Her Majesty, or legally made a denizen of Van Diemen's Land.

Qualification of members.

VIII. The Legislative Council shall at its first meeting, and before proceeding to the despatch of any other business, elect some member of the said Council to be the President thereof, and as often as the place of such President shall become vacant by death, resignation, or removal, by a vote of the said Council the said Council shall again elect some other member to be the President thereof, and the President so elected shall preside at all meetings of the said Council, and the election of the President of the Legislative Council shall be notified to the Governor by a deputation of the said Council.

Election of President of Legislative Council.

IX. The Legislative Council shall, immediately after the election of the President thereof, proceed to determine by lot the order in which the names of the several members shall be entered upon a list to be called the "Members' Roll," and at the expiration of three years from the date of the issuing of the writs for the first election, under this Act and thenceforward at the expiration of every succeeding three years such five members as shall be the first five on such members' roll shall vacate their seats, and five new members shall be elected to supply the vacancies so created, and immediately after the five members so elected to fill the vacancies so created shall have taken their seats they shall proceed in like manner to determine by lot the order in which their names shall be respectively placed on the "Members' Roll," next after the names of the ten members previously on the said roll, and in the event of a single member being elected to fill a seat in the said Council, vacant by reason of death, acceptance of office, or otherwise, the name of such member shall be placed last on the said members' roll, to the intent that one-third of the whole number of members of the Legislative Council, consisting of such five members as shall have held their seats for the longest period shall vacate their seats every three years.

Order in which members to retire.

X. In case of the absence of the President, in consequence of leave of absence granted to him by the House, or of illness, or other unavoidable cause, it shall be lawful for the Legislative Council to choose some other member of the said House to fill temporarily the office and perform the duties of the President during his absence.

Absence of President provided for.

XI. The Legislative Council shall not be competent to the despatch of business, unless there be present, including the President, at least seven members of the said Council, and all questions which shall arise shall be decided by the majority of the votes of those members of the Council who shall be present, exclusive of the President, who shall be allowed a casting vote.

Quorum of Legislative Council.

XII. It shall be lawful for any member of the Legislative Council, by writing under his hand addressed to the Governor, to resign his seat in the said Legislative Council, and upon such resignation the seat of such member shall become vacant.

Members of Legislative Council may resign.

XIII. If any Legislative Councillor shall, for one entire session of the Legislative Council fail to give his attendance therein, without the permission of the said Council, or shall take any oath, or make any declaration or act of acknowledgment of allegiance or adherence to

Seat in Legislative Council how to become vacant.

any foreign prince or power, or shall do, concur in, or adopt any act whereby he may become a subject or citizen of any foreign state or power, or shall become bankrupt, or shall take the benefit of any law relating to insolvent debtors, or become a public defaulter, or be attainted of treason, or be convicted of felony or any infamous crime, or shall become of unsound mind, his seat in such Council shall thereby become vacant.

Question of vacancy how determined.

XIV. Whenever any question shall arise respecting any vacancy in the Legislative Council the same shall be heard and determined by the Legislative Council itself.

House of Assembly to consist of thirty members who may be elected members.

XV. The House of Assembly shall consist of thirty elected members, and any person (except as herein-after excepted) shall be capable of being elected a member of the House of Assembly who shall be a natural-born or naturalized subject of Her Majesty, or legally made a denizen of Van Diemen's Land: Provided that no judge of the Supreme Court or minister of religion shall be capable of being elected a member of the House of Assembly.

Duration of Assembly.

XVI. Every Assembly hereafter to be summoned and chosen shall continue for five years from the day of the return of the writs for choosing the same, and no longer, subject nevertheless to be sooner dissolved by the Governor.

Qualification of electors.

XVII. Every man of the age of twenty-one years, being a natural-born or naturalized subject of Her Majesty, or legally made a denizen of Van Diemen's Land, and having a freehold estate in possession, legal or equitable, situate within the district for which his vote is to be given, of the clear value of one hundred pounds sterling money above all charges and incumbrances in any way affecting the same of or to which he has been seised or entitled, either at law or in equity, for at least two months next before the date of the writ for such election, or in case a registration of electors shall be established next before the last registration of electors, or being a householder within such district occupying any house, warehouse, counting-house, office, shop, or other building, of the clear annual value of ten pounds sterling money, and having resided therein two calendar months before such writ or registration as aforesaid, or holding at the date of such writ, or at the time of such registration, a licence to depasture lands within the district for which his vote is to be given from the Government of Van Diemen's Land, and paying for the same not less than ten pounds per annum, or having a leasehold estate in possession situate in such district, of the annual value of ten pounds sterling money held upon a lease, which at the date of such writ, or at the time of such registration, has not less than three years to run, or having a salary of one hundred pounds sterling a year, or being a graduate of any university in the British dominions, or a barrister or solicitor on the roll of the supreme court of Van Diemen's Land, or a legally qualified medical practitioner, or an officiating minister of religion, or an officer or retired officer of Her Majesty's land or sea forces, not being on actual service, and resident in the district for which his vote is to be given at least twelve months before the date of the writ for such election, shall be entitled to vote at the election of a member of the House of Assembly.

Qualification of joint-tenants and owners.

XVIII. Where any premises are jointly owned or occupied, or held upon lease by more persons than one, each of such joint owners, occupiers, or leaseholders, shall be entitled to be registered as an elector, and to vote at the election of members to serve in the House of Assembly in respect of such joint ownership, occupancy, or leasehold, provided each such person's share or interest in such premises would if several entitle him to vote under the provisions of this Act.

Disqualification of contractors.

XIX. Any person who shall directly or indirectly, himself, or by any person whatsoever in trust for him or for his use or benefit or on his account, undertake, execute, hold, or enjoy in the whole or in part any contract or agreement for or on account of the public service, shall be incapable of being elected or of sitting or voting as a member of such Assembly, during the time he shall execute, hold, or enjoy any such contract or any part or share thereof, or any benefit or emolument arising from the same; provided always, that nothing herein contained shall extend to any contract or agreement made, entered into, or accepted by any incorporated company or any trading company, consisting of more than six persons, where such contract or agreement shall be made, entered into, or accepted for the general benefit of such incorporated or trading company; provided also, that if any person being a member of such assembly shall enter into any such contract or agreement, or having entered into it shall continue to hold it, his seat shall be void.

Election of Speaker.

XX. The House of Assembly shall at its first meeting after every general election and before proceeding to the despatch of any other business, elect some one member of such Assembly to be the Speaker thereof, and in case of his death, resignation, or removal by a vote of the House of Assembly, the said House shall forthwith proceed to elect some other such member to be Speaker, and the Speaker so elected shall preside at all meetings of the said House of Assembly, and the election of such Speaker shall be notified to the Governor by a deputation of the said House.

Absence of Speaker provided for.

XXI. In case of the absence of the Speaker in consequence of leave of absence granted to him by the House, or of illness or other unavoidable cause, it shall be lawful for the House of Assembly to choose some other member of the said House to fill temporarily the office and perform the duties of the Speaker during his absence.

Quorum.

XXII. The House of Assembly shall not be competent to the despatch of business unless there shall be present, exclusive of the Speaker, one-third at least of the members of the said Assembly, and all questions which shall arise in the said House of Assembly shall be decided by the majority of votes of those members thereof who shall be present other than the Speaker, and when the votes shall be equal the Speaker shall have a casting vote.

Member may resign.

XXIII. It shall be lawful for any member of the House of Assembly, by any writing under his hand addressed to the Governor, to resign his seat therein, and from the time the same shall be received by the Governor, the seat of such member shall become vacant.

Seat in House of Assembly how to become vacant.

XXIV. If any member of the House of Assembly shall for one whole Session thereof fail to give his attendance in the said Assembly, without the permission of the said Assembly, or shall take any oath or make any declaration or act of acknowledgment of allegiance or adherence to any foreign prince or power, or do, concur in, or adopt any act whereby he may become a subject or citizen of any foreign state or power, or shall become bankrupt or take the benefit of any law relating to insolvent debtors, or become a public defaulter, or be attainted of treason, or be convicted of felony or any infamous crime, or shall become of unsound mind, his seat in such Assembly shall thereby become vacant.

Disqualification from felony.

XXV. No man shall be entitled to vote at the election of a member or be capable of being elected a member of either House of the Legislature, who has been attainted or convicted of treason, felony, or other infamous offence in any part of Her Majesty's dominions, unless he have received a pardon or have undergone the sentence passed upon him for such offence.

Oath to be taken by members.

XXVI. No member either of the Legislative Council or of the House of Assembly shall be permitted to act or vote therein respectively until he shall have taken and subscribed before the Governor of the said colony, or before some person authorized by such Governor to administer it, the oath set forth in the Schedule hereunto annexed, marked A.

Seats in both Houses how vacated.

XXVII. If any member, either of the Legislative Council or of the House of Assembly, shall accept any office of profit or any pension from the Government, during pleasure or otherwise, his seat shall thereupon become vacant.

Penalty for sitting and voting in either House if disqualified.

XXVIII. If any person by this Act disabled or declared to be incapable to sit or vote either in the said Legislative Council or in the House of Assembly, shall, nevertheless, be elected and returned as a member to serve in either of the said Houses of Legislature, such election and return are hereby declared to be void to all intents and purposes whatsoever; and if any person so elected and returned contrary to the provisions of this Act shall presume to sit or vote as a member thereof in either the Legislative Council or the House of Assembly, such person shall for each such offence forfeit the sum of five hundred pounds, to be recovered by any person who shall sue for the same in the Supreme Court of Van Diemen's Land, or any other court in the said colony having competent jurisdiction.

Legislative Council and Assembly to make standing orders.

XXIX. The Legislative Council and House of Assembly at the first sitting of each respectively, and from time to time afterwards as there shall be occasion, shall prepare and adopt such standing rules and orders as shall appear to them best adapted for the orderly conduct of the business of such Council and Assembly, and for the mode in which the said Council and Assembly shall confer, correspond, and communicate with each other for the manner in which Bills shall be introduced, passed, numbered, and intituled in the said Council and Assembly respectively, and for the proper presentation of the same to the Governor for Her Majesty's assent, and generally for the conduct of all business and proceedings of the said Council and Assembly severally and collectively, all of which rules and orders shall by such Council and Assembly respectively be laid before the Governor, and being approved of by him shall become binding and of force.

Civil List granted to Her Majesty.

XXX. There shall be payable to Her Majesty, her heirs and successors, in every year, out of the Consolidated Revenue Fund of Van Diemen's Land, the several sums not exceeding in the whole fifteen thousand three hundred pounds, for defraying the expenses of the services and purposes set forth in the Schedule to this Act annexed, marked B., and the said several sums shall be issued by the Treasurer of Van Diemen's Land in discharge of such warrants as shall from time to time be directed to him, under the hand of the Governor.

Reserve for public worship.

XXXI. There shall be reserved for public worship the sum of fifteen thousand pounds, to be appropriated in the manner set forth in Schedule C. of this Act, or in such other manner as the Legislature of Van Diemen's Land shall hereafter from time to time direct and appoint.

Compensation for officers liable to loss of office.

XXXII. And whereas by the operation of this Act certain officers of the Government will be more liable to loss of office on political grounds than heretofore, and it is just to compensate the present holders of such offices for the actual loss of their offices, in case the same should happen upon political grounds, or at their option, to compensate them for such increased liability to loss of office: Be it enacted, that the sums set opposite the names of the persons mentioned in Part I. to Schedule D. to this Act annexed, who at present respectively hold the offices therein mentioned, shall be payable annually by way of retiring allowance to such persons respectively during their respective lives upon their respective retirement or removal from office upon political grounds after this Act shall come into operation, or if any of the said persons shall, at least ten days before the commencement of the first Session of the said Parliament, by writing under his hand, addressed to the Governor, signify his desire to accept a compensation for such increased liability to loss of office in lieu of such annual retiring allowance as aforesaid, then the sum set opposite the name of such person in Part II. of the said Schedule D. shall be paid to him forthwith, in lieu of such retiring allowance; and all such sums as aforesaid shall be payable and paid to such persons out of the general revenue: Provided, that if after any such annual retiring allowance as aforesaid shall have become payable the person entitled thereto shall accept any new appointment under the Crown, then such retiring allowance shall merge or be reduced pro tanto during the tenure

of such appointment, according as the salary or emoluments of such new appointment is or are of greater or less amount than such retiring allowance of such person.

Money Bills to originate in the Assembly.

XXXIII. All Bills for appropriating any part of the revenue, or for imposing any tax, rate, duty, or impost, shall originate in the said House of Assembly, and it shall not be lawful for the said House of Assembly to originate or pass any vote, resolution, or Bill for the appropriation of any part of the revenue, or of any tax, rate, duty, or impost, for any purpose which shall not have been first recommended by the Governor to the said House of Assembly during the Session in which such vote, resolution, or Bill shall be passed.

All money votes to be recommended by the Governor

Act to be proclaimed.

XXXIV. This Act shall be published in Van Diemen's Land by the Governor of the said colony within three months after Her Majesty's approval of the same shall have been received by proclamation for that purpose in the Hobart Town Gazette, and shall commence and take effect from the day of the date of such proclamation.

Short title may be cited.

XXXV. In referring to this Act, it shall be sufficient to make use of the expression "The Constitutional Act."

Schedule A.

Oath of Allegiance.

I do sincerely promise and swear, that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this colony of Van Diemen's Land, dependent on and belonging to the said United Kingdom; and that I will defend her to the utmost of my power against all traitorous conspiracies and attempts whatever which shall be made against her person, crown, and dignity; and that I will do my utmost endeavour to disclose and make known to Her Majesty, her heirs and successors, all treasons and traitorous conspiracies and attempts which I shall know to be against her or any of them: and all this I do swear without any equivocation, mental evasion, or secret reservation, and renouncing all pardons and dispensations from any person or persons whatever to the contrary.

So help me God.

Sworn at Hobart Town this day
of one
thousand eight hundred and ,
before .

Schedule B.

Civil List.

PART I.

	£	s.	d.
Governor's salary	4,000	0	0
Allowances and contingent expenses	2,500	0	0
Total	£6,500	0	0

PART II.

	£	s.	d.
Chief Justice	1,500	0	0
Puisne Judge	1,200	0	0
Attorney-General	900	0	0
Solicitor-General	600	0	0
Total	£4,200	0	0

PART III.

	£	s.	d.
Colonial Secretary	1,200	0	0
Colonial Treasurer	800	0	0
Colonial Auditor	600	0	0
Total	£2,600	0	0

PART IV.

	£	s.	d.
Pensions	2,000	0	0

VAN DIEMEN'S LAND.

SCHEDULE C.

PUBLIC WORSHIP.

	£	s.	d.
Public Worship - - - - -	15,000	0	0

SCHEDULE D.

PART I.

Compensation by way of Retiring Allowance.

	£	s.	d.
William Thomas Napier Champ, Colonial Secretary, three-fourths of Salary -	900	0	0
Francis Smith, Attorney-General, three-fourths of Salary - - - -	675	0	0
Peter Gordon Fraser, Colonial Treasurer, three-fourths of Salary - -	600	0	0

PART II.

Compensation by way of Bonus to Holders of Office liable to Loss of Office on Political Grounds.

	£	s.	d.
William Thomas Napier Champ, Colonial Secretary, five years' Salary -	6,000	0	0
Francis Smith, Attorney-General, five years' Salary - - -	4,500	0	0
Peter Gordon Fraser, Colonial Treasurer, five years' Salary - -	4,000	0	0

RICHARD DRY, Speaker.

Passed the Legislative Council this thirty-first day of October, one thousand eight hundred and fifty-four.

FR. HARTWELL HENSLOWE,
Clerk of the Council.

In conformity with the provisions of the 31st clause of the Act for the better Government of New South Wales and Van Diemen's Land (5th & 6th Victoria, cap. 76), I reserve this Bill for the signification of Her Majesty's pleasure thereon.

W. DENISON, Lieut.-Governor.

Government House, Hobart Town,
1st November 1854.

Encl. 2 in No. 3.

Enclosure 2 in No. 3.

NEW CONSTITUTION.

MESSAGE No. 31.

MY DEAR DRY, Government House, April 27, 1854.

YOU are aware, I have no doubt, that in the communications which I have made to the Secretary of State on the subject of the constitution of the Legislature of this Colony, I have always tried to impress upon the Government the advisability of constituting a legislative body consisting of two Chambers; and have, at the same time, expressed my opinion of the inexpediency of any interference on the part of the Government with the appointment of the members of either of these bodies.

In August 1848, I wrote to Lord Grey on this subject, and again in December 1849, and latterly I have written to the Duke of Newcastle, informing him that the conviction on my part of the correctness of the views I had before expressed had been strengthened by a knowledge of what had taken place in these Colonies.

The problem, then, of the constitution of a Second Chamber has, as you may imagine, occupied my attention for some time past; and, as the Council may soon have to solve it, I will give you the result of the consideration which I have bestowed on the subject.

In order, however, that the whole process by which I have arrived at the formation of a definite opinion on the subject may be made clear to you, I may as well state that the principal motives which induce me to advocate the formation of an Upper Chamber are the security afforded by it against hasty or class legislation, and against collisions between the Legislative and the Executive.

It is probable also that property would be more fully represented in the Upper than in the Lower Chamber; and I should wish to see the Upper Chamber looked upon as representing the colony at large, and to enhance the distinction thus conferred upon its members by every means in our power.

Having premised this, I presume that the qualification of the constituents of the members of the Upper Chamber will be higher than that now required for the Council, viz., 10*l.* household occupation, which is, in point of fact, household suffrage; but I should not wish to see such a marked difference made as might lead to jealousies on the part of those excluded, or so high a rate of franchise as might unduly narrow the constituency, and make it appear

that the Upper Chamber was the representative of a class, and not that of the property or intellect of the Colony.

Supposing, then, the electoral roll to be drawn out and revised, how should the election be conducted?—and on this the principle of my scheme turns.

I propose that each elector should be addressed individually by the clerk of the Executive Council (I say the clerk of the Executive Council merely as being a permanent Officer), and requested to name a single individual as a member of the Upper Chamber. The reply should be returned within a given period, endorsed in some particular manner; but it should not be opened until all the answers are returned, and then formally by the Lieutenant-Governor in the Executive Council, the Judges being present. The papers being opened, a return of the names of those proposed as members should be made, and the number of votes for each; and the twelve or fifteen who have the highest number of suffrages should be declared to be members of the Second Chamber. No notice should be taken publicly of the number of votes given to each member. Nothing should be done to establish any distinction between them; they should stand on the proud distinction of having been elected by the intellect and property of the colony as its proper representatives.

I should not impose any limitation upon, or qualification for, the persons to be elected. I should not exclude any individual or any class; but, having established the constituency, leave to each member of it to select one proper person as his representative; and I feel quite certain that by such means you will attain a greater security against the election of improper persons than you could possibly hope to do by the adoption of property qualifications,—a scheme which is always open to objection, and which is sure to form a weak point, and one liable to attack in any remark upon the system of representation adopted.

I propose to limit the number of votes given by each elector to one, for the express purpose of securing, in the first place, the exercise of his unbiassed judgment, and in the second, of rendering the introduction of a property qualification unnecessary.

Tell an elector that he is to return one name, and he will look around him and select the most competent person in his neighbourhood or among his acquaintance; tell him to give a list of a dozen names, and he will either be reduced to put a number down at hazard, to adopt a list transmitted to him containing the names of many of whom he can know nothing, or to omit to fill up the whole number; three alternatives, all objectionable, though not, perhaps, equally so.

Another advantage accruing from the system of giving a single vote will be the absence of all canvassing, or of any steps which might bring angry and antagonistic feelings into play, by which the prestige which should attach to the members of the Upper House may be affected injuriously.

I could point out many other advantages which this system appears to me to present; but my time is running short, as Archer has informed me that the committee intend to bring up their report in a day or two.

I have therefore written hastily what I consider enough to give you a clear idea ofthe scheme proposed, in order that you might have an opportunity of considering it before any distinct expression of opinion may have been given, which might seem to pledge the members to something positive or definite.

Believe me,

Yours very truly,

W. Denison.

Richard Dry, Esq.
&c. &c.

VAN DIEMEN'S LAND.

Despatch from the Secretary of State.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to Lieut.-Governor DENISON.

SIR, Downing Street, August 3, 1854.

* Page 1.

I HAVE received your Despatch, marked Confidential, of the 14th February last*, expressing your views on the future constitution of the Australian Colonies and on the question of the introduction into Van Diemen's Land of the system of what is commonly designated responsible government.

The Despatch of the Duke of Newcastle, No. 10*, of 20th January last, will have removed any doubt which could have been previously entertained as to the disposition of Her Majesty's Government to grant to the inhabitants of Van Diemen's Land the same privileges which had been offered to other Australian Colonies. My Despatch, No. 9†, of 3rd July last, transmitting to you the copy of my Despatch of the same date to Sir C. FitzRoy, will have informed you of the present position of this question.

Your anticipation as to the views of the different Legislatures of the several Australian Colonies not coinciding in the details of their Constitutional Acts has been to a certain extent realized. Nor can it be matter of surprise that as these Legislatures are quite independent of each other, some differences, even on important points, should be found to exist in the provisions of their several Acts. I agree, however, with you, that there is no such practical inconvenience likely to result from this cause as to render it necessary or desirable for the Government to insist on the removal of these differences. You, moreover, express a hope, as the principle on which Her Majesty's Government has acted towards these Colonies is that of the right of communities such as those now organized in Australia to legislate generally for themselves, that this principle will be carried out according to the spirit and not according to the letter of Sir J. Pakington's Despatch to Sir C. FitzRoy of the 15th December 1852, in which it was stated to be the wish of the Government that the Council should establish the new Legislature on the basis of an Elective Assembly, and a Legislative Council nominated by the Crown. I have to acquaint you in reply, that Her Majesty's present Government are of opinion, that provided the Legislative Council is so constituted as to possess the respect and confidence of the community, and at the same time to be less directly liable than the Assembly to popular impulse, and to be capable of acting as a salutary check against hasty legislation, the particular mode of constituting it is not a matter of primary importance, and they do not therefore feel it necessary to insist on its being nominated by the Crown.

There is only one other point to which I feel it right to advert in connexion with this subject. The Constitutional Acts which have been received from three of the Australian Colonies, contain several important enactments which the Legislatures of these colonies were not competent to pass, and to which therefore no effect can be given without the authority of an Imperial Act. This course is open to objection, and may be productive of considerable inconvenience. It is therefore desirable that in any similar Act to be passed in Van Diemen's Land this course of proceeding should be avoided, and that the provisions of the Act should be restricted within the ample powers legally possessed by the existing Legislature of the colony.

I have, &c.
(Signed) G. GREY.

Lieut.-Governor Sir W. Denison,
&c. &c. &c.

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* Page 166 of Papers on "Australian Constitutions," presented to Parliament by Her Majesty's command, 31st July and 10th August 1854.

† Page 167, same paper.

LONDON:
Printed by George E. Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

FURTHER PAPERS

RELATIVE TO THE

ALTERATIONS IN THE CONSTITUTIONS

OF THE

AUSTRALIAN COLONIES.

(*In continuation of Papers presented* 10*th August and December* 1854, *and March* 1855.)

Presented to both Houses of Parliament by Command of Her Majesty,
April 20, 1855.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1855.

[915]

SCHEDULE.

NEW SOUTH WALES.

NEW SOUTH WALES.

DESPATCHES FROM THE GOVERNOR GENERAL.

Sir C. A. FitzRoy.

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VICTORIA.

VICTORIA.

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Sir C. Hotham.

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SOUTH AUSTRALIA.

SOUTH AUSTRALIA.

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VAN DIEMEN'S LAND.

VAN DIEMEN'S LAND.

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RELATIVE TO THE

ALTERATIONS IN THE CONSTITUTIONS OF THE AUSTRALIAN COLONIES.

NEW SOUTH WALES.

NEW SOUTH WALES.

Despatches from Governor General Sir C. A. FitzRoy.

No. 1.

No. 1.

COPY of a DESPATCH from Governor General Sir C. A. FITZROY to the Right Hon. Sir GEORGE GREY, Bart.

(No. 176.)

Government House, Sydney,
December 30, 1854.
(Received March 17, 1855.)

SIR,

AT the request of the chairman of a meeting of the citizens of Sydney, held at the Royal Victoria Theatre, on the 30th October last, as communicated to me in a letter of which I enclose a copy, I have the honour to forward a petition which was adopted by the meeting and addressed to Her Majesty against the constitution embodied in the Act of Council, 17 Vict. No. 41, which was transmitted to the Duke of Newcastle in my Despatch, No. 165,* of 29th December 1853. This petition I am informed bears the signatures of upwards of 5,000 persons.

21st Dec. 1854.

2. I take this opportunity of forwarding two similar petitions addressed to Her Majesty by certain inhabitants of the city of Newcastle and of the districts of Windsor, Richmond, and the Hawkesbury, which have been this day placed in my hands by Mr. Parkes in a note of which I enclose a copy.

30th Dec. 1854.

I have, &c.

The Right Hon. Sir G. Grey, Bart. (Signed) CHAS. A. FITZROY.
&c. &c. &c.

Enclosure 1 in No. 1.

Encl. 1 in No. 1.

SIR,

Sydney, December 21, 1854.

As chairman presiding over a meeting of the citizens of Sydney, held in the Royal Victoria Theatre, on Monday, the 30th October last, to address Her Majesty the Queen and both Houses of Parliament against the Bill for the establishment of a new Constitution for this colony, about to be submitted to the Imperial Parliament, I have the honour to transmit you herewith a petition adopted at that meeting, and to request that his Excellency the Governor-General will be pleased to cause the same to be forwarded to the Right Honourable the Secretary of State for the Colonies for presentation to Her Majesty.

It is my duty to mention that this petition has received the signatures of upwards of 5,000 persons.

I have, &c.

The Hon. the Colonial Secretary, (Signed) JACOB MONTEFIORE,
&c. &c. Chairman.

* Page 27 of Papers relative to the "Australian Constitutions," presented to Parliament July 31 and August 10, 1854.

NEW SOUTH WALES.

Sub-Enclosure to Enclosure 1 in No. 1.

To the Queen's most Excellent Majesty.

The humble Petition of the undersigned Inhabitants of the city of Sydney, in the colony of New South Wales,

Showeth,

That in the year 1850, the Imperial Parliament passed an Act for the better government of the Australian colonies.

That as this Act extended the elective franchise from a 20*l.* to a 10*l.* rate, and empowered the Colonial Legislature to apportion the future representation agreeably to the principles of the British Constitution, it would have conferred a great benefit upon Your Majesty's petitioners and the other colonists of New South Wales if it had only been carried out fairly and equitably, agreeably to the evident intentions of the Imperial Parliament.

That from the unconstitutional character of the Local Legislature of the period, and the predominance of the pastoral interest in its councils, an Electoral Act was passed by the Legislative Council of this colony in the year 1851, under the alleged authority of the Imperial Act, which not only completely frustrated the beneficent intentions of that Act and deprived the colonists of the benefits of good government which it was meant to ensure them, but was entirely at variance with the acknowledged principles of the British Constitution, and wantonly trampled upon the political rights of the principal portion of the population.

That by this Act the county of Cumberland, the earliest settled, most densely populated, and wealthiest portion of the colony, containing as it does the city of Sydney and the towns of Paramatta and Windsor, and comprising four ninths of the entire population, was divided into five electoral districts, which return only eight members to the present colonial legislature, while the rest of the colony, comprising all the sheepwalks and cattle runs of the territory, with the remaining five ninths of the general population thinly scattered over an extent of country as large as all Great Britain and France, was divided into twenty-five electoral districts, which return twenty-eight members.

That, although the county of Cumberland contains only four ninths of the entire population, its inhabitants represent a much larger proportion, upwards of one half of the wealth of the colony, all the rest of the occupied territory being merely the progressive expansion of the older settlements of that county, and much of the property, both real and personal, in all parts of it, being held by persons residing in the county of Cumberland; whereas a large proportion of the population of the pastoral districts, which at present engross so disproportionate an amount of the representation, consists of mere tenants of the Crown and their dependants, including many foreigners, who are for the most part ignorant of the language, and unacquainted with the institutions of a British people.

That in proof of the correctness of these statements, it has just been ascertained that the number of duly qualified electors in the five electoral districts of the county of Cumberland is 12,504, while the whole number in all the other electoral districts of the colony is only 11,414; that is, 1,090 fewer than in the county of Cumberland alone.

That the natural effect of this policy has been virtually to extinguish the popular element in the actual Legislature by means of a mock representation of the thinly-peopled portions of the territory, and thereby to reduce the colonists to a state of entire helplessness, under the power of a virtually self-constituted and irresponsible Legislature.

That under under this preposterous system, the election of members for the pastoral districts of the colony has in great measure degenerated into an unmeaning ceremony, which only excites the ridicule and scorn of the community, while on questions of public expenditure the proceedings of the legislative body not unfrequently exhibit the unheard of political phenomenon of small minorities outvoting large majorities of the representatives of the people by means of mere Government officials and nominees.

That is was by a Legislature of so questionable a character, both in its origin and proceedings, that the new Constitution Bill of 1853, which has since been forwarded for the consideration of Your Majesty and the Imperial Parliament, was framed, and that in so far as the representation is concerned the said Bill is merely a reproduction and expansion of the present Constitution under the Electoral Act of 1851, the county of Cumberland, with four ninths of the population and upwards of one half of the wealth of the colony, having only thirteen members assigned to it under the proposed new Constitution, while the rest of the colony, including all the pastoral districts, has forty-one.

That in the promulgation of the new Constitution Bill, Your Majesty's petitioners, in common with a large number of the inhabitants of the colony in all parts of the territory, petitioned against its adoption either to the Local Legislature or to Your Majesty and the Imperial Parliament, urging the utter incompetency of the present Legislative Council to frame a Constitution for this colony, and expressing their utter abhorrence of the principles embodied in the said new Constitution Bill.

That Your Majesty's petitioners having ascertained that the consideration of the said new Constitution Bill has been deferred till next session of Parliament, would again approach Your Majesty with unfeigned attachment to Your Majesty's person, humbly to reiterate the same expression of opinion, and to renew their earnest petition that the said Bill may never be permitted to become the law of the land in this colony

NEW SOUTH WALES.

That your Majesty's petitioners are sincerely desirous that an Upper House or Senate should be constituted for this colony in conjunction with a House of Assembly, but they decidedly and strongly object to the principle of nomineeism in any form or to any extent in either House of the future Legislature, and they respectfully but firmly insist, as their undoubted right, upon a fair and equitable distribution of the representation on the British principle of population and property combined.

That while your Majesty's petitioners are of opinion that the administration of the waste lands of this colony, as well as of all colonial revenues whatsoever, should be conceded to a Legislature constituted on the principles indicated with full power to deal with all existing arrangements as may be deemed expedient and necessary for public welfare, they are decidedly of opinion that the present land system not only checks the sale of land, and diminishes the land revenue to an incalculable extent, but affords unnecessary encouragement for the introduction of inferior races, impedes the prosperity and advancement of the community in an endless variety of ways, and thereby prevents the rapid settlement of the country with a thoroughly British population.

Your Majesty's petitioners therefore having no confidence either in the present Legislative Council of this colony, or in any Constitution which a Legislature so constituted would form, humbly pray, as they are reluctantly compelled to do, that the task of framing a Constitution for the Australian colonies generally, and for this colony in particular, may be devolved either on the Imperial Parliament in accordance with the principles indicated above, or on a Constituent Assembly, to be coustituted under the authority of Parliament.

And Your Majesty's petitioners, as in duty bound, will ever pray.

(Signed) JACOB MONTEFIORE, Chairman.

Dated 30th October 1854. And 4,412 others.

Enclosure 2 in No. 1.

Encl. 2 in No. 1.

SIR, Empire Office, December 30, 1854.

BY the post yesterday and this morning I have received two petitions, addressed to the Queen, against the new Constitution Bill, passed by the Legislative Council in the Session of 1853, with a request from the petitioners that I will take the necessary steps to have them forwarded for presentation to Her Majesty.

One petition is from the Windsor, Richmond, and the Hawkesbury district; and the gentleman writing to me says it is "headed by one of the magistrates of the district, and is "signed by 235 of the principal inhabitants, including two clergymen, two medical men, and "one of the two resident solicitors."

The other petition is from certain of the inhabitants of the city of Newcastle, and my letter from the petitioners states that 400 signatures are attached to it.

May I request that you will place these petitions in the hands of his Excellency the Governor General, and communicate the desire of the petitioners that they may be forwarded as early as possible to the Secretary of State for presentation.

Permit me to add, that the petitioners would feel greatly indebted to his Excellency if these petitions could be sent by the "Argo" ship, which sails to-morrow.

I have, &c.,

G. A. FitzRoy, Esq. HENRY PARKES.

Sub-Enclosure 1 to Enclosure 2 in No. 1.

To the Queen's most Excellent Majesty.

The Petition of the undersigned Inhabitants of Windsor, Richmond, and the Hawkesbury District generally, in the colony of New South Wales,

Humbly showeth,

THAT in the year 1850 the Imperial Parliament passed an Act for the better government of the Australian colonies.

That as this Act extended the elective franchise from a 20*l.* to a 10*l.* rate, and empowered the Colonial Legislature to apportion the future representation agreeably to the principles of the British Constitution, it would have conferred a great benefit upon Your Majesty's petitioners and the other colonists of New South Wales if it had only been carried out fairly and equitably, agreeably to the evident intentions of the Imperial Parliament.

That from the unconstitutional character of the local Legislature of the period, and the predominance of the pastoral interests in its councils, an Electoral Act was passed by the Legislative Council of this colony in the year 1851 under the alleged authority of the Imperial Act, which not only completely frustrated the beneficent intentions of that Act, and deprived the colonists of the benefits of good government which it was meant to ensure them, but was entirely at variance with the acknowledged principles of the British Constitution, and wantonly trampled upon the political rights of the principal portion of the population.

That the natural effect of the policy of this Act has been virtually to extinguish the popular element in the actual Legislature, by means of a mock representation for thinly-peopled portions of the territory, and thereby to reduce the colonists to a state of entire helplessness, under the power of a virtually self-constituted and irresponsible Legislature.

NEW SOUTH WALES.

That under this preposterous system the election of members for the pastoral districts of the colony has, in a great measure, degenerated into an unmeaning ceremony, which only excites the ridicule and scorn of the community, while on questions of public expenditure the proceedings of the legislative body not unfrequently exhibit the unheard-of political phenomenon of small minorities outvoting large majorities of the representatives of the people by means of mere Government officials and nominees.

That it was by a Legislature of so questionable a character, both in its origin and proceedings, that the new Constitution Bill of 1853, which has since been forwarded for the consideration of Your Majesty and the Imperial Parliament, was framed, and that in so far as the representation is concerned, the said Bill is merely a reproduction and expansion of the present Constitution under the Electoral Act of 1851; the county of Cumberland, with four ninths of the population, and upwards of one half of the wealth of the colony, having only thirteen members assigned to it under the proposed new Constitution, while the rest of the colony, including all the pastoral districts, has forty-one

That on the promulgation of the new Constitution Bill, Your Majesty's petitioners, in common with a large number of the inhabitants of the colony, in all parts of the territory, petitioned against its adoption to the Local Legislature, expressing their utter repugnance to the principles embodied in the said new Constitution Bill.

That Your Majesty's petitioners, having ascertained that the consideration of the said new Constitution Bill has been deferred till next Session of Parliament, would approach Your Majesty with unfeigned attachment to Your Majesty's person, humbly to reiterate the same expression of opinion, and to renew their earnest petition that the said Bill may never be permitted to become the law of the land in this colony.

That Your Majesty's petitioners are sincerely desirous that an Upper House or Senate should be constituted for this colony in conjunction with a House of Assembly, but they decidedly, and strongly object to the principle of nomineeism in any form or to any extent in either House of the future Legislature, and they respectfully but firmly insist as their undoubted right, upon a fair and equitable distribution of the representation of the British principle of population and property combined.

That while your petitioners are of opinion that the administration of the waste lands of this colony, as well as of all colonial revenues whatsoever, should be conceded to a Legislature constituted on the principles indicated, with full power to deal with all existing arrangements as may be deemed expedient and necessary to public welfare, they are decidedly of opinion that the present land system not only checks the sale of land and diminishes the land revenue to an incalculable extent, but affords unnecessary encouragement to the introduction of inferior races, impedes the prosperity and advancement of the community in an endless variety of ways, and thereby prevents the rapid settlement of the country with a thoroughly British population.

Your Majesty's petitioners therefore, having no confidence either in the present Legislative Council of this colony or in any Constitution which a Legislature so constituted would form, humbly pray, as they are reluctantly compelled to do, that the task of framing a Constitution for the Australian colonies generally, and for this colony in particular, may be devolved either upon the Imperial Parliament in accordance with the principles indicated above, or on a Constituent Assembly to be constituted under the authority of Parliament.

And Your Majesty's petitioners, &c.

Windsor, December 16, 1854.

[234 signatures.]

Sub-Enclosure 2 to Enclosure 2 in No. 1.

To the Queen's most Excellent Majesty.

The Petition of the undersigned Inhabitants of the city of Newcastle, in the colony of New South Wales,

Humbly showeth,—

That in the year 1850 the Imperial Parliament passed an Act for the better government of the Australian colonies.

That as that Act extended the elective franchise from a 20*l.* to a 10*l.* rate, and empowered the Colonial Legislature to apportion the future representation agreeably to the principles of the British Constitution, it would have conferred a great benefit upon Your Majesty's petitioners and upon the other colonists of New South Wales if it had only been carried out fairly and equitably, agreeably to the evident intentions of the Imperial Parliament.

That from the unconstitutional character of the Local Legislature of the period, and the predominance of the pastoral interest in its councils, an Electoral Act was passed by the Legislative Council of this colony in the year 1851, under the alleged authority of the Imperial Act, which not only completely frustrated the beneficent intentions of that Act, and deprived the colonists of the benefits of good government, which it was meant to ensure them, but was entirely at variance with the acknowledged principles of the British Constitution, and wantonly trampled upon the political rights of the principal portion of the population.

That by this Act the county of Cumberland, the earliest settled, most densely peopled, and wealthiest portion of the colony, containing, as it does, the city of Sydney and the towns

NEW SOUTH WALES.

of Paramatta and Windsor, and comprising four ninths of the entire population, was divided into five electoral districts, which return only eight members to the present Colonial Legislature, while the rest of the colony, comprising all the sheepwalks and cattle runs of the territory, with the remaining five ninths of the general population thinly scattered over an extent of country as large as all Great Britain and France, was divided into twenty-five electoral districts, which return twenty-eight members.

That although the county of Cumberland contains only four ninths of the entire population, its inhabitants represent a much larger proportion, upwards of one half, of the wealth of the colony; all the rest of the occupied territory being merely the progressive expansion of the older settlements of that county, and much of the property, both real and personal, in all parts of it, being held by persons residing in the county of Cumberland; whereas a large proportion of the population of the pastoral districts, which at present engross so disproportionate an amount of the representation, consists of mere tenants of the Crown, and their dependants, including many foreigners, who are for the most part ignorant of the language, and unacquainted with the institutions of a British people.

That, in proof of the correctness of these statements, it has just been ascertained that the number of duly qualified electors in the five electoral districts of the county of Cumberland is 12,504, while the whole number in all the other electoral districts of the colony is only 11,414; that is, 1,090 less than in the county of Cumberland alone.

That the natural effect of this policy has been virtually to extinguish the popular element in the actual Legislature by means of a mock representation for the thinly-peopled portions of the territory, and thereby to reduce the colonists to a state of entire helplessness, under the power of a virtually self-constituted and irresponsible Legislature.

That under this preposterous system the election of members for the pastoral districts of the colony has in great measure degenerated into an unmeaning ceremony, which only excites the ridicule of the community, while on questions of public expenditure the proceedings of the legislative body not unfrequently exhibit the unheard-of political phenomenon of small minorities outvoting large majorities of the representatives of the people by means of mere Government officials and nominees.

That it was by a Legislature of so questionable a character, both in its origin and proceedings, that the new Constitution Bill of 1853, which has since been forwarded for the consideration of Your Majesty and the Imperial Parliament, was framed, and that in so far as the representation is concerned, the said Bill is merely a reproduction and expansion of the present Constitution under the Electoral Act of 1851; the county of Cumberland, with four ninths of the population, and upwards of one half of the wealth of the colony, having only thirteen members assigned to it under the proposed new Constitution, while the rest of the colony, including all the pastoral districts, has forty-one.

That on the promulgation of the new Constitution Bill, a large number of the inhabitants of the colony, in all parts of the territory, petitioned against its adoption, either to the Local Legislature or to Your Majesty and the Imperial Parliament, urging the utter incompetency of the present Legislative Council to frame a Constitution for this colony, and expressing their utter abhorence of the principles embodied in the said new Constitution Bill.

That Your Majesty's petitioners having ascertained that the consideration of the said new Constitution Bill has been deferred till next Session of Parliament, would again approach Your Majesty with unfeigned attachment to Your Majesty's person, humbly to reiterate the same expression of opinion, and to renew their earnest petition that the said Bill may never be permitted to become law in this colony.

That Your Majesty's petitioners are sincerely desirous that an Upper House or Senate should be constituted for this colony in conjunction with a House of Assembly, but they decidedly and strongly object to the principle of nomineeism in any form or to any extent in either House of the future Legislature, and they respectfully but firmly insist, as their undoubted right, upon a fair and equitable distribution of the representation on the British principle of population and property combined.

That while Your Majesty's petitioners are of opinion that the administration of the waste lands of this colony, as well as of all colonial revenues whatsoever, should be conceded to a Legislature constituted on the principles indicated, with full power to deal with all existing arrangements as may be deemed expedient and necessary for the public welfare, they are decidedly of opinion that the present land system not only checks the sale of land and diminishes the land revenue to an incalculable extent, but affords unnecessary encouragement for the introduction of inferior races, impedes the prosperity and advancement of the community in an endless variety of ways, and thereby prevents the rapid settlement of the country with a thoroughly British population.

Your Majesty's petitioners therefore having no confidence, either in the present Legislative Council of this colony, or in any Constitution which a Legislature so constituted would form, humbly pray, as they are reluctantly compelled to do, that the task of framing a Constitution for the Australian colonies generally, and for this colony in particular, may be devolved either on the Imperial Parliament, in accordance with the principles indicated above, or on a Constituent Assembly to be constituted under the authority of Parliament.

And Your Majesty's petitioners, as in duty bound, will ever pray,

[Here follow 351 signatures.]

VICTORIA.

Despatches from Governor Sir Charles Hotham.

No. 1.

No. 1.

Copy of a DESPATCH from Governor Sir Charles Hotham to the Right Hon. Sir George Grey, Bart.

(Separate.—No. 1.)

Toorac, near Melbourne, October 25, 1854.

(Received January 25, 1855.)

Sir,

Although I make no doubt that my predecessor has already brought under your notice those parts of the proposed Constitution for this colony, which must have struck a person of his intelligence as deserving of your serious consideration, nevertheless I feel it my duty to draw your attention to the results which I fear would ensue were the Royal Assent to be given to the Bill in its integrity.

It is more than probable that Her Majesty's Government may see fit to revise other clauses of the Bill; but, with the small experience which I have had in such matters, I do not deem it advisable to attempt any comment, excepting in cases wherein I clearly foresee danger to the community and disorder to the functions of Government.

The eighteenth clause of the Bill constitutes the responsible officers, and the Colonial Secretary, the Attorney General, the Colonial Treasurer, the Commissioner of Public Works, the Collector of Customs, the Surveyor General, and the Solicitor General, are so designated; of these officers, four at least are to be members of the Legislative Council and Legislative Assembly. By the Royal Instructions, the persons holding four out of these seven offices are appointed Executive Councillors, being the Chief Secretary to the Government, the principal Law Officer, the Treasurer, and the Collector of Customs.

The forty-fourth clause of the Bill says, "The appointment to all public offices under the Government of Victoria, hereafter to become vacant or to be created, whether such offices be salaried or not, shall be vested in the Governor, with the advice of the Executive Council, with the exception of the appointment of the officers liable to retire from office on political grounds, which appointments shall be vested in the Governor alone."

But as the Colonial Secretary is the chief organ of Government, the Treasurer the exponent of finance, the Attorney General the interpreter of the law, and the Comptroller of Customs the official representative of trade, it is clear that they who are by the Royal Instructions members of the Executive Council must also be the leaders of the party from whom the Governor is compelled to choose his principal advisers. The natural consequence is, that these officers carry into effect the 44th clause of the Bill—it would be useless for the Governor to dissent; it would be idle for him to resist the dismissal of an officer who is eminently qualified for his situation, and who perhaps cannot be replaced; the men who are his executive councillors are his ministers, and the Council or Assembly has no alternative but to be silent.

The danger to which this young colony would be exposed by this abandonment of the principles on which our own Constitution stands seems to me apparent. It is true that in England a change of Government brings with it a shift of places, but public opinion has limited the change to certain posts, and the time has gone by when a valuable public servant is dismissed because his ideas do not happen to be in accordance with those of the Government. The influence of the Crown tends to prevent any great abuse; the extent of the population prevents that acrimony of feeling which rends asunder smaller communities. The British Government is glad to retain men of ability, and tacitly only require of them an abstinence from political action during the time they hold office.

But in the colonies the effect might be very different; in a short time the people might range themselves into two parties, and carry into private life all

those irritations and angry feelings to which they would be prompted by self-interest, combined with political ties. Every man would be looking for official place, to attain which no end would seem too desperate; an incoming Government, to secure strength, would not scruple to remove every fuuctionary down to the lowest clerk of the post-office, and Government would be subjected to be, as it is termed, "at a dead lock."

Out of the population of this colony, which may at present be assumed to be 280,000, it would be passing difficult to find men competent to fill all the offices if suddenly vacated, and the public would suffer whilst the beginners were learning their lesson. But supposing the evil of frequent changes of Government to be avoided, there still remains as great a misfortune; I allude to the possibility of a party, through the abuse of the powers which I have endeavoured to point out, obtaining such root as to render their removal from office, by legal means, impracticable.

I will suppose the party to be administering the functions of government with all imaginable skill, but so inherent with many is the love of change, that the volatile public, although perhaps without a grievance, would yet lend a willing ear to the assertions of those wanting office, and in course of time proceed to revolutionary measures if unable to compass their ends in the ordinary way.

So that the 44th Clause of this Bill leaves a community exposed to two imminent dangers, one being that of frequent and entire change of office-holders, high and low of every degree, and a consequent suspension of business; the other, the instalment in power of one party until removed by violence or revolution.

I submit that one of two things should be done, either that the 44th Clause be altered as follows: "The appointment to all public offices under the Government of Victoria, hereafter to become vacant, or to be created, whether such offices shall be salaried or not, shall be vested in the Governor," or that the Royal Instructions be altered, allowing the Governor to increase the number of his Executive Council, and appoint other persons in addition to those who hold the offices related in the Article.

I do not scruple to give my own conviction, that the amendment first suggested is in every way the most advisable; the second recommendation I have ventured to make, an improvement; but I repeat, that to pass the Bill in its entirety, and leave the Royal Instructions as they now are, is to sow the seeds of anarchy and confusion. The corruption, intrigue, and faction which it is possible might pervade a community so governed I pass by; the price which each individual gave for his place would soon be as well-known as the price current of any article in the market.

It is to this indiscriminate change of office-holders on the advent of a new President that the American public attribute so much mischief, and the large proportion of men who are trained to the law thereby rendered competent to hold, and made expectant for civil occupation, is a matter on which many writers on the United States have dwelt with regret.

Be the Governor of this Colony who he may, so soon as Her Majesty gives the Royal Assent to the proposed Constitution, he must govern in the sense of the party dominant in the Council and Assembly; to do so, he naturally must place a very large share of patronage at its disposal; but I submit that it would be unwise to keep him in the office of Governor, and at the same time take all power from him.

The fact of his retaining some power will tend to avert those collisions which never fail to leave their impressions behind them. In extreme cases he will become the referee, the arbiter, the councillor, but every vestige of influence as relates to colonial affairs is taken away; the Constitution consists of three persons but in name, it is a republic in reality.

To the 25th Article of the Constitution I would also request your attention. It renders public contractors incompetent to sit as a member o the Council or Assembly.

I frankly confess that I cannot discover good grounds for this exclusion. The Colony is progressing at a pace which astounds the world; the best authorities believe that the man is not born who will see an end to the discovery of gold; a population is pouring in from Europe alone at the rate of 1,000 a-week; to meet their wants, immense public works must be created, railways

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initiated, wharves constructed, docks made, &c.; to do all this, and much more, contractors of character, enterprize, and capital must be employed, and yet this class of men are pointed at as unworthy to hold seats in the Legislature; at the present moment one of the objects which I have most at heart is to entice men of capital to settle in this colony, and follow the profession of Government contractors; the public is suffering from their absence. I cannot see that they would do more harm in the Council and Assembly than out of it, whilst I clearly perceive that great good might ensue from the legitimate right of putting questions to the Government in the presence of the contractor as to the mode in which the latter was performing a work.

By the observations which I have felt it my duty to make, I would not have it supposed that I am inimical to the proposed Constitution; on the contrary, I believe it to be well adapted to meet the political requirements of this colony, and generally speaking to be in accordance with the views of the community.

I also think it desirable, that no time should be lost in bringing it into operation; but I should be unworthy to hold the high trust reposed in me were I to refrain from mentioning the practical difficulties which occur to me as likely to present themselves, and produce a jar from which serious consequences may hereafter ensue.

I have, &c.

The Right Hon. Sir George Grey, (Signed) CHAS. HOTHAM.
&c. &c. &c.

No. 2.

No. 2.

Copy of a DESPATCH from Governor Sir Charles Hotham to the Right Hon. Sir George Grey, Bart.

(No. 147.) Toorac, near Melbourne, November 18, 1854.

Sir, (Received February 12, 1855.)

(Aaswered No. 28, March 28, 1855, Page 14.)

I have the honour to forward an address from the Legislative Council of this colony to the Queen's most Excellent Majesty on the subject of the postponement of the proposed Constitution for Victoria, which has been presented to me by the Honourable the Speaker for transmission.

I have, &c.,

The Right Hon. Sir George Grey, (Signed) CHAS. HOTHAM.
&c. &c. &c.

Encl. in No. 2.

Enclosure in No. 2.

Most Gracious Sovereign,

We, the Legislative Council of Victoria, approach Your Majesty with renewed assurances of our attachment to your Royal Person and loyalty to the Throne.

We learn with profound regret, participated in by all our fellow colonists, that it has been deemed advisable to postpone the consideration of the proposed new constitution of this colony for another year.

We would humbly represent to Your Majesty that the provisions of the Bill for conferring upon us this wished-for boon, are so entirely in unison with the views of the most eminent statesmen in England, were passed in this House by such decisive majorities, and gave such general satisfaction to the colonists at large, that in our opinion no valid reason can exist for any further delay in the consideration of its details, nor are there any grounds for supposing that, on a review, any alteration would be asked for by the colonists.

With reference to that portion of the Despatch from the Right Honourable the Secretary of State for the Colonies, which states the intention of Your Majesty's advisers to consider all the Bills for establishing new Constitutions in the several Australian colonies together, we humbly represent that we cannot see any necessity for uniformity in the Constitutions of these colonies, the capitals of which are more distant from each other than those of many European nations; but, on the contrary, we are led to believe that it may prove ultimately advantageous to test by trial the relative merits of each plan.

We would respectfully urge that this colony is not in a position to recede from the policy it has adopted. It does not insist that other colonies should be guided by its political views, and we submit to Your Majesty that it is unreasonable to delay our enfranchisement until other colonies have had afforded to them by the Imperial Government an opportunity of

changing Constitutions based on more narrow principles—if they have chosen such for themselves.

In the rapid, unprecedented, and continuous growth of Victoria, nothing is more required than a vigorous Government. Such a Government can only be permanently secured by a full and free representation of all classes; and we would earnestly urge on Your Majesty's consideration, that it is at once impolitic and unfair to the Government and to the existing Legislature of this colony, to leave us longer in the state of abeyance in which we are now placed; inasmuch as, by the Bill alluded to, we have, in fact, declared to the people of this colony that the present system of representation is imperfect, and it may naturally be urged against us, that we are thus without that full measure of confidence which it is most essential to the advancement and tranquility of any country should be felt by all classes of the people in the Legislature and Executive Government.

If, therefore, it should seem good to Your Majesty to remit, for further consideration, any of the proposed Australian Constitutions, we humbly but most earnestly entreat that the Bill for establishing a New Constitution in the colony of Victoria may, without delay, be passed into law.

J. Palmer, Speaker.

No. 1.

No. 3.

Copy of a DESPATCH from Governor Sir C. Hotham to the Right Hon. Sir George Grey, Bart.

(No. 1.) Toorac, near Melbourne, January 1, 1855.
(Received March 17, 1855.)

Sir,

It is my duty to transmit the accompanying petition, addressed to Her Majesty the Queen, by the members of the Jewish faith resident in this colony.

I have, &c.
(Signed) CHAS. HOTHAM.

The Right Hon. Sir G. Grey, Bart.
&c. &c. &c.

Encl. in No. 3.

Enclosure in No. 3.

To Her most Gracious Majesty Victoria, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.

The humble petition of Your most Gracious Majesty's subjects, members of the Jewish faith, residing in the Colony of Victoria,

Humbly showeth—

1. That Your Majesty's petitioners are members of the Jewish persuasion residing in that part of Your most Gracious Majesty's dominions called the Colony of Victoria, in Australia.

2. That Your Majesty's petitioners were amongst the earliest settlers of this colony, and have always been distinguished for their loyalty and devotion to Your Majesty's person and Government, as well as for their love of order and adherence to the laws.

3. That there are at present in this colony upwards of five thousand (5000) persons professing the Jewish faith.

4. That amongst the members of the Jewish faith resident in the colony are persons of all grades and classes of society, members of eminent mercantile houses, wealthy proprietors, and many devoted to scientific and literary pursuits.

5. That from the facts stated in the allegation lastly above made, it naturally follows that whilst Your Majesty's petitioners are large contributors in every way to the general revenue, they also materially aid in the moral, social, and physical advancement of the colony.

6. That in this, as in all other colonies under Your most Gracious Majesty's dominion, members of the Jewish faith are eligible to sit and vote as members of the Legislative Council, and accordingly have a voice in the collection of the revenue and the appropiation of the funds of the colony.

7. That by an Act recently passed by the Legislative Council of this colony, entitled "An "Act to establish a Constitution for the Colony of Victoria," now reserved for Your most Gracious Majesty's approval, the sum of Fifty thousand pounds (£50,000) is reserved out of the consolidated revenue of the colony for the erection of buildings for public worship and the maintenance of ministers of religion, and by the (61st) Sixty-first Clause of the said Act such sum is to be appropriated to the various denominations of the Christian religion only, according to the proportions as by that clause provided.

8. That Your most Gracious Majesty's petitioners humbly submit that it would be a manifest injustice to exclude them from participating in this grant to which they have contributed equally with the other portions and denominations of the community of this colony.

VICTORIA.

9. That the right of the Jews to participate in this grant was strongly urged in the Legislative Council, on the passing of the Act above referred to, and their right to such participation only negatived by a bare majority of one vote, and that in consequence of the unavoidable absence of three representative members.

10. That in accordance with the provisions of the "Crown Land Sales Act," Fifth and Sixth Victoria, cap. 34., a reserve of land has been granted to the Jews for religious purposes.

11. That Your most Gracious Majesty's petitioners, on humbly submitting this their petition for Your Majesty's gracious consideration, beg most respectfully to assure Your Majesty that they are actuated by no mercenary motive, but desire only humbly to appeal to Your most Gracious Majesty against what your petitioners feel to be an act of injustice; and Your Majesty's petitioners further humbly submit for your august consideration, that as they are represented in all matters in the same manner as the rest of Your Majesty's subjects, any attempt at separate legislation for them is unjust and improper; and finally, Your Majesty's petitioners humbly submit that they ought not and cannot of right be deprived of a just proportion of all public grants.

Your petitioners therefore humbly pray that Your most Gracious Majesty may be pleased to cause the words "and Hebrew" to be inserted between the words "Christian" and "Religion" in Clause 61 of the above referred to Act intituled, &c., now reserved for Your Majesty's approval, so that Your Majesty's petitioners may be legally entitled to participate in just proportions in a fund to which your petitioners equally contribute in common with the rest of Your Majesty's subjects in Victoria.

And your petitioners as in duty bound will ever pray.

MICHL. CASHMORE,
Warden of the Congregation.

Despatches from the Secretary of State.

THE RIGHT HON. SIR GEORGE, GREY BART.

No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to Governor Sir CHARLES HOTHAM.

(No. 39.)

SIR, Downing Street, November 15, 1854.

IN my Despatch of 3d* July last, I informed you that Her Majesty's assent would be given by Order in Council to the Victoria Act of last Session, "to extend the Elective Franchise."

2. But, subsequently to my addressing you, a doubt arose respecting Her Majesty's power to give that assent, which the enclosed letter from the Attorney and Solicitor General, to whom the question was referred, will explain. Nov. 6th, 1854.

3. In consequence of their opinion that the doubt was well founded, the assent of Her Majesty must be postponed until after the meeting of Parliament, when it will be given and communicated to you.

I have, &c.,

Governor Sir C. Hotham, (Signed) G. GREY.
&c. &c. &c.

No. 2.

No. 2.

COPY of a DESPATCH from the Right Hon. SYDNEY HERBERT to Governor Sir CHARLES HOTHAM.

(No. 3.)

SIR, Downing Street, February 15, 1855.

WITH reference to my predecessor's Despatch, No. 39, of the 15th of November last, I transmit to you herewith an Order of the Queen in Council, confirming the Act of your Government "to extend the Elective Franchise," which was reserved for the signification of Her Majesty's pleasure, and I have to acquaint you that the Act has now been laid before both Houses of Parliament for the space of thirty days, as required by section 32 of the Act 13 & 14 Vict. c. 59.

I have, &c.

Governor Sir C. Hotham, (Signed) S. HERBERT.
&c. &c. &c.

Enclosure in No. 2.

Encl. in No. 2.

At the Court at Windsor, the 8th day of February 1855.

Present:

The Queen's most Excellent Majesty.

Prince Albert.

The Lord Chancellor,	Viscount Canning,
The Lord President,	Lord Panmure,
The Duke of Wellington,	Mr. Herbert,
Marquis of Lansdowne,	Sir George Grey, Bart.,
Marquis of Abercorn,	Mr. Chancellor of the Exchequer,
The Lord Steward,	Sir William Molesworth, Bart.
Viscount Palmerston,	

WHEREAS by an Act passed in the session of Parliament holden in the fifth and sixth year of Her Majesty's reign, intituled "An Act for the Government of New South Wales and Van Diemen's Land," it is amongst other things enacted, that "no Bill, "which shall be reserved for the signification of Her Majesty's pleasure thereon, shall have "any force or authority within the colony of New South Wales until the Governor of "the said colony shall signify, either by speech or message, to the Legislative Council of the "said colony, or by proclamation as therein aforesaid, that such Bill has been laid before "Her Majesty in Council, and that Her Majesty has been pleased to assent to the

* Page 125 of Papers relative to "Australian Constitutions," presented to Parliament by Her Majesty's command, July 31 and August 10, 1854.

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"same." And whereas by another Act, passed in the session of Parliament holden in the 13th and 14th years of Her Majesty's reign, intituled "An Act for the better Government of "Her Majesty's Australian Colonies," it was provided, amongst other things that the provisions of the said former Act, concerning the reservation of Bills for the signification of Her Majesty's pleasure, should apply to and be in force in the colony of Victoria. And whereas it was by the same Act further provided that it should be lawful for the Governor and Legislative Council of the colony of Victoria, after the establishment of a Legislative Council therein under the said Act, from time to time, by any Act or Acts, to alter the provisions or laws for the time being in force under the said Act, or otherwise, concerning the election of the elective members of such Legislative Council, the qualification of electors and elective members, or to establish in the said colony, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Houses, to consist respectively of such members to be appointed or elected respectively by such persons and in such manner as by such Act or Acts should be determined, and to vest in such Council and House of Representatives, or other separate Legislative Houses, the powers and functions of the Legislative Council, for which the same might be substituted: provided always, that every Bill which should be passed by the Council in the said colony for any of such purposes should be reserved for the signification of Her Majesty's pleasure thereon, and a copy of such Bill should be laid before both Houses of Parliament for the space of thirty days at the least before Her Majesty's pleasure thereon should be signified. And whereas the Lieutenant-Governor of the said colony of Victoria has reserved a certain Bill, passed by the Legislative Council of the said colony, in the Session of that Council holden in the year 1854, intituled "An Act to extend the Elective Franchise of Victoria," for the signification of Her Majesty's pleasure thereon; and whereas the said Bill, so reserved as aforesaid, has been laid before both Houses of Parliament for the space of thirty days as aforesaid, and has now been laid before Her Majesty in Council, and it is expedient that the said Bill should be assented to by Her Majesty, now therefore Her Majesty, in pursuance of the said Acts, and in exercise of the powers thereby reserved to Her Majesty as aforesaid, doth, by this present Order, by and with the advice of Her Majesty's Privy Council, declare her assent to the said Bill.

And the Right Honourable Sidney Herbert, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

No. 3.

No. 3.

Copy of a DESPATCH from the Right Hon. Sir George Grey, Bart., to Governor Sir C. Hotham.

(No. 28.)

Sir, Downing Street, 23rd March 1855.

I have to acknowledge your Despatch,* No. 147, of the 18th November last, enclosing an address from the Legislative Council of Victoria to Her Majesty, on the subject of the postponement of the proposed Constitution for that colony.

* Page 10

2. I have laid this address before Her Majesty, who was pleased to receive the same very graciously.

3. The correspondence which has passed since the date of this address will no doubt have shown you that there was no needless postponement of this subject on the part of Her Majesty's ministers, but that the period of the arrival of your Despatch containing the Constitutional Bill (May 31st, 1854), rendered it impossible to bring before Parliament, in the session then already far advanced, a measure involving extensive changes in four Acts of Parliament, and therefore requiring time both to prepare and to consider it.

4. The Act for extending the electoral franchise required to be laid for 30 days before Partiament in session; this has been done, and the Order has been transmitted to you, conveying Her Majesty's assent.

5. Her Majesty's Government hope to be able at a very early period to bring before Parliament the necessary measure for giving effect to the new Constitution in Victoria. While it was obviously desirable that the Constitutions of the three colonies should be considered together, it by no means follows from thence that Her Majesty's Government are of opinion that there is any necessity for enforcing uniformity in respect of all the provisions if those Constitutions differ.

I have, &c.
(Signed) G. GREY.

Governor Sir C. Hotham,
&c. &c. &c.

SOUTH AUSTRALIA.

SOUTH AUSTRALIA.

Despatches from Lieut.-Governor Sir H. E. F. Young.

No. 1.

No. 1.

COPY of a DESPATCH from Lieutenant-Governor Sir H. E. F. YOUNG to the Right Hon. Sir GEORGE GREY, Bart.

(No. 97.)

Adelaide, November 5, 1854.
(Received January 30, 1855.)

SIR,

IN conformity with the enclosed address of the Council, I have the honour to enclose copies of the Proceedings of the Council on the 22d, 27th, and 28th September last, together with my messages therein, numbered 23 and 34, of the 10th and 18th October respectively, on the subject of the Colonial Parliament Act, now awaiting the signification of Her Majesty's pleasure. Not having received any communication from the Council since my message of the 18th October, I have felt it my duty to forward these documents by the present mail.

I have, &c.
(Signed) H. E. F. YOUNG.

The Right Hon. Sir G. Grey,
&c. &c. &c.

Encl. 1 in No. 1.

Enclosure 1 in No. 1.

To his Excellency Sir Henry Edward Fox Young, Knight, Lieutenant-Governor of Her Majesty's Province of South Australia, &c. &c.

May it please your Excellency,

The humble Address of the Legislative Council of South Australia,

Showeth,—

THAT at a Meeting of the said Council, holden on the 28th day of September 1854,

It was resolved,—That an address be presented to his Excellency the Lieut.-Governor, requesting him to forward to Her Majesty's Principal Secretary of State for the Colonies a copy of the proceedings of this Council on the 22d, 27th, and 28th of September instant.

(Signed) JOHN MORPHETT,
Speaker.

Legislative Council Chamber,
29th September 1854.

Encl. 2 in No. 1.

Enclosure 2 in No. 1.

EXTRACTS from the Votes and Proceedings of the Legislative Council (No. 25).

Friday, September 22, 1854.

1. Council met pursuant to adjournment. The Speaker took the chair.

2. Despatches on Parliament Bill:—Mr. Kingston, by leave, amended his motion, and moved—That the Council having taken into consideration Message No. 12 from the Lieutenant-Governor, forwarding copies of his Excellency's Despatches on the subject of the South Australian Parliament Bill, together with the reply of the Secretary of State for the Colonies thereto laid on the table on the 5th September, are of opinion—That the allegation of his Excellency's Despatch, dated 31st January 1854, stating that "the proposition to "establish an Elective Upper Chamber was shelved by a majority of eight Elective Members," is not in accordance with the records of the Council, which show, on the division referred to, that seven Elective Members voted in favour of Mr. Dutton's motion for an Elective Upper Chamber, eight Elective Members voting in favour of the previous question; thereby proving

that the motion in favour of an Elective Upper Chamber was lost, so far as the Elected Members are concerned, by a majority of one.

Debate ensued.

Mr. Fisher moved the previous question.

Debate continued.

Previous question put—Shall this question be now put?

Council divided.

Ayes, 11.	Noes, 10.
Mr. Scott	The Colonial Secretary
Mr. Bagot	The Advocate-General
Mr. Hart	The Registrar-General
Mr. Peacock	The Collector of Customs
Mr. Reynolds	Mr. Stephens
Mr. Giles	Mr. Gwynne
Mr. Angas	Mr. Ellis
Mr. Baker	Mr. Fenn
Mr. Dutton	Mr. Younghusband
Mr. Rankine	Mr. Fisher (Teller).
Mr. Kingston (Teller).	

The Advocate-General moved—That Standing Order No. 1 be suspended, to permit an amendment being made on the main question.

Council divided.

Ayes, 10.	Noes, 11.
The Colonial Secretary	Mr. Kingston
The Registrar-General	Mr. Dutton
The Collector of Customs	Mr. Angas
Mr. Stephens	Mr. Giles
Mr. Gwynne	Mr. Peacock
Mr. Fenn	Mr. Reynolds
Mr. Ellis	Mr. Hart
Mr. Younghusband	Mr. Bagot
Mr. Fisher	Mr. Rankine
The Advocate-General (Teller).	Mr. Scott
	Mr. Baker (Teller).

Main question put and passed.

3. Motion for adjournment:—The Advocate-General moved—That this House do now adjourn.

Council divided.

Ayes, 10.	Noes, 11.
The Colonial Secretary	Mr. Scott
The Registrar-General	Mr. Rankine
The Collector of Customs	Mr. Bagot
Mr. Stephens	Mr. Hart
Mr. Gwynne	Mr. Reynolds
Mr. Younghusband	Mr. Peacock
Mr. Fenn	Mr. Angas
Mr. Ellis	Mr. Baker
Mr. Fisher	Mr. Dutton
The Advocate-General (Teller).	Mr. Giles
	Mr. Kingston (Teller).

4. Nominated Upper Chamber:—Mr. Kingston moved—For leave to amend his motion, No. 3 on notice paper, by inserting in the first line, between "is" and "opposed," the words "in the opinion of this Council," and striking out the words "opinions and."

Council divided.

Ayes, 12.	Noes, 9.
Mr. Younghusband	The Colonial Secretary
Mr. Scott	The Advocate-General
Mr. Rankine	The Registrar-General
Mr. Bagot	The Collector of Customs
Mr. Hart	Mr. Stephens
Mr. Reynolds	Mr. Gwynne
Mr. Peacock	Mr. Fenn
Mr. Giles	Mr. Ellis
Mr. Angas	Mr. Fisher (Teller).
Mr. Baker	
Mr. Dutton	
Mr. Kingston (Teller).	

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Mr. Kingston amended his motion, and moved—That a nominated Upper Chamber is, in the opinion of this Council, opposed to the wishes of a majority of the elected members of this Council, as well as of the colonists at large; and that any amendment of the Constitution establishing two Chambers, one of which shall consist of nominees of the Crown, will not meet with the approbation of the colonists of South Australia.

Debate ensued.

The Colonial Secretary moved an amendment—That all the words after "that" be struck out, and the following substituted: "any legislation by the present Council which "involves a reconsideration of the fundamental principles of constitutional government, "contained in the Parliament Act, is premature and impolitic, because the Parliament Act "itself affords the most effectual means of ascertaining and carrying into effect the wishes "of the constituencies, whether regarding an Elective Second Chamber or any other "question of importance, by calling into action the higher and greater powers and privileges "secured to the people by that Act."

Debate ensued.

Amendment by leave withdrawn.

The Advocate-General moved an amendment on the main question—That all the words after the word "Council," in the third line, be struck out.

Question—That the words proposed to be struck out stand part of the question.

Debate continued.

Council divided.

Ayes, 11.	Noes, 9.
Mr. Scott	The Colonial Secretary
Mr. Bagot	The Registrar-General
Mr. Hart	The Collector of Customs
Mr. Rankine	Mr. Stephens
Mr. Reynolds	Mr. Gwynne
Mr. Peacock	Mr. Fenn
Mr. Dutton	Mr. Younghusband
Mr. Giles	Mr. Fisher
Mr. Angas	The Advocate-General (Teller).
Mr. Baker	
Mr. Kingston (Teller).	

Question—That a nominated Upper Chamber is, in the opinion of this Council, opposed to the wishes of a majority of the elected members of this Council, as well as of the colonists at large; and that any amendment of the Constitution establishing two Chambers, one of which shall consist of nominees of the Crown, will not meet with the approbation of the colonists of South Australia.

Council divided.

Ayes, 12.	Noes, 8.
Mr. Younghusband	The Colonial Secretary
Mr. Scott	The Advocate General
Mr. Rankine	The Collector of Customs
Mr. Reynolds	Mr. Stephens
Mr. Bagot	Mr. Gwynne
Mr. Hart	Mr. Fenn
Mr. Peacock	Mr. Fisher
Mr. Giles	The Registrar-General (Teller).
Mr. Angas	
Mr. Baker	
Mr. Dutton	
Mr. Kingston (Teller).	

5. Amendment of Constitution:—Mr. Kingston, by leave, amended his motion No. 4, and moved—That an Address be presented to his Excellency, requesting him to cause a Bill to be immediately prepared and laid before this Council for the amendment of the Constitution, embodying the elective principle for both Chambers; so that the real wishes of the colonists may be laid before the Imperial Legislature previous to the passing any Act of Parliament granting amended Constitutions to the Australian Colonies during the Session of 1855.

Debate ensued.

The Colonial Secretary moved an amendment—That all the words after "That" be struck out, and the following substituted: "any legislation by the present Council which "involves a reconsideration of the fundamental principles of constitutional government, "contained in the Parliament Act, is premature and impolitic; because the Parliament Act "itself affords the most effectual means of ascertaining and carrying into effect the wishes of "the constituencies, whether regarding an Elective Second Chamber or any other question "of importance, by calling into action the higher and greater powers and privileges secured "to the people by that Act."

Debate continued.

Question—That the words proposed to be struck out stand part of the question.

Council divided.

Ayes, 9.	Noes, 11.
Mr. Scott	The Advocate-General
Mr. Bagot	The Registrar-General
Mr. Peacock	The Collector of Customs
Mr. Giles	Mr. Stephens
Mr. Reynolds	Mr. Gwynne
Mr. Hart	Mr. Fenn
Mr. Dutton	Mr. Baker
Mr. Rankine	Mr. Fisher
Mr. Kingston (Teller).	Mr. Angas
	Mr. Younghusband
	The Colonial Secretary (Teller).

Question—That the words proposed to be inserted be so inserted.
Debate ensued.
Mr. Angas moved an amendment—That this debate be adjourned till Wednesday next.
Council divided.

Ayes, 14.	Noes, 3.
The Colonial Secretary	Mr. Gwynne
The Advocate-General	Mr. Fisher
Mr. Younghusband	Mr. Stephens (Teller).
Mr. Dutton	
Mr. Bagot	
Mr. Baker	
Mr. Giles	
Mr. Peacock	
Mr. Kingston	
Mr. Hart	
Mr. Scott	
Mr. Rankine	
Mr. Reynolds	
Mr. Angas (Teller).	

Enclosure 3 in No. 1.

Encl. 3 in No. 1.

EXTRACT from the Votes and Proceedings of the Legislative Council. (No. 27.)

Wednesday, September 27, 1854.

11. Amendment of the Constitution (adjourned debate):—The following words in Mr. Kingston's motion of the 22d September having been on that day struck out, viz., "an "address be presented to his Excellency, requesting him to cause a Bill to be immediately "prepared and laid before this Council, for the amendment of the Constitution, embodying the "elective principle for both Chambers, so that the real wishes of the colonists may be laid "before the Imperial Legislature, previous to the passing of any Act of Parliament granting "amended Constitutions to the Australian Colonies during the Session of 1855"—

An amendment was proposed—That the following words be inserted: "Any legislation "by the present Council which involves a reconsideration of the fundamental principles of "constitutional government, contained in the Parliament Act, is premature and impolitic; "because the Parliament Act itself affords the most effectual means of ascertaining and "carrying into effect the wishes of the constituencies, whether regarding an Elective Second "Chamber, or any other question of importance, by calling into action the higher and "greater powers and privileges secured to the people by that Act."

Debate ensued.

Question—That the words proposed to be inserted be so inserted.

Council divided.

Ayes, 10.	Noes, 9.
The Advocate-General	Mr. Scott
The Registrar-General	Mr. Rankine
The Collector of Customs	Mr. Bagot
Mr. Stephens	Mr. Hart
Mr. Gwynne	Mr. Peacock
Mr. Ellis	Mr. Reynolds
Mr. Younghusband	Mr. Giles
Mr. Baker	Mr. Angas
Mr. Fisher	Mr. Kingston (Teller).
The Colonial Secretary (Teller).	

The question being proposed—That any legislation by the present Council which involves a reconsideration of the fundamental principles of constitutional government, contained in the Parliament Act, is premature and impolitic; because the Parliament Act itself affords the most effectual means of ascertaining and carrying into effect the wishes of the constituencies, whether regarding an Elective Second Chamber or any other question of importance,

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by calling into action the higher and greater powers and privileges secured to the people by that Act—

Mr. Hart moved an amendment—That all the words after "That" be struck out, with a view to insert the following: "an Address be presented to his Excellency, requesting him "to forward to Her Majesty's Principal Secretary of State for the Colonies a copy of the "Votes and Proceedings of this Council on Friday the 22d of September instant."

Debate continued.

Mr. Fisher moved—That this debate be adjourned till to-morrow, and stand the first order of the day.

Council divided.

Ayes, 11.	Noes, 9.
The Colonial Secretary	Mr. Angas
The Advocate-General	Mr. Peacock
The Registrar-General	Mr. Reynolds
The Collector of Customs	Mr. Hart
Mr. Stephens	Mr. Bagot
Mr. Gwynne	Mr. Scott
Mr. Rankine	Mr. Kingston
Mr. Ellis	Mr. Dutton
Mr. Baker	Mr. Giles (Teller).
Mr. Younghusband	
Mr. Fisher (Teller).	

12. Council adjourned at six o'clock, until to-morrow, at one o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Thursday, September 28, 1854.

Government Business: Orders of the Day:—

1. Adjourned debate on amendment of Constitution: the question being proposed—That any legislation by the present Council which involves a reconsideration of the fundamental principles of constitutional government, contained in the Parliament Act, is premature and impolitic; because the Parliament Act itself affords the most effectual means of ascertaining and carrying into effect the wishes of the constituencies, whether regarding an Elective Second Chamber or any other question of importance, by calling into action the higher and greater powers and privileges secured to the people by that Act.

To which an amendment was made, to leave out all the words after "That," with a view to insert the following: "an Address be presented to his Excellency, requesting him to forward to Her Majesty's Principal Secretary of State for the Colonies a copy of the Votes and Proceedings of this Council on Friday the 22d September instant."

Question—That the words proposed to be struck out stand part of the question.

Encl. 4 in No. 1.

Enclosure 4 in No. 1.

EXTRACT from the Votes and Proceedings of the Legislative Council (No. 28).

Thursday, September 28, 1854.

1. Council met pursuant to adjournment. The Speaker took the chair.

2. Adjourned debate on Amendment of the Constitution:—The question being proposed—That any legislation by the present Council which involves a reconsideration of the fundamental principles of constitutional government, contained in the Parliament Act, is premature and impolitic; because the Parliament Act itself affords the most effectual means of ascertaining and carrying into effect the wishes of the constituencies, whether regarding an Elective Second Chamber or any other question of importance, by calling into action the higher and greater powers and privileges secured to the people by that Act.

To which an amendment was made, to leave out all the words after "That," with a view to insert the following: "an Address be presented to his Excellency, requesting him to forward to Her Majesty's Principal Secretary of State for the Colonies a copy of the Votes and Proceedings of this Council on Friday the 22d September instant."

Question—That the words proposed to be struck out stand part of the question.

Debate continued.

Mr. Hart having, by leave, withdrawn his amendment,

Mr. Giles moved—That all the words after "is," in the fourth line, be struck out, with a view to insert the following: "inexpedient, because it is desirable that a reconsideration "of the Parliament Act should not be undertaken until after a fresh Election, and the time "is now too short prior to the meeting of the Imperial Parliament to admit of such fresh "Election and reconsideration of the Constitution; and that an Address be presented to his "Excellency, requesting him to forward to Her Majesty's Principal Secretary of State for the "Colonies a copy of the Proceedings of this Council on the 22d, 27th, and 28th of September "instant."

Mr. Gwynne moved—That the House do now divide.
Council divided.

Ayes, 1.	Noes, 17.
Mr. Gwynne (Teller).	The Colonial Secretary
	The Advocate-General
	The Registrar-General
	The Collector of Customs
	Mr. Stephens
	Mr. Rankine
	Mr. Ellis
	Mr. Scott
	Mr. Dutton
	Mr. Giles
	Mr. Angas
	Mr. Fisher
	Mr. Peacock
	Mr. Reynolds
	Mr. Hart
	Mr. Younghusband
	Mr. Baker (Teller).

Question—That the words proposed to be struck out stand part of the question—put and negatived.

Question—That the words proposed to be inserted be so inserted—put and passed.

Question—That any legislation by the present Council which involves a reconsideration of the fundamental principles of constitutional government, contained in the Parliament Act, is inexpedient, because it is desirable that a reconsideration of the Parliament Act should not be undertaken until after a fresh Election, and the time is now too short prior to the meeting of the Imperial Parliament to admit of such fresh Election and reconsideration of the Constitution; and that an Address be presented to his Excellency, requesting him to forward to Her Majesty's Principal Secretary of State for the Colonies a copy of the Proceedings of this Council on the 22d, 27th, and 28th of September instant —put and passed.

Enclosure 5 in No. 1.

Encl. 5 in No. 1.

MESSAGE.

Message, No. 23.

LIEUTENANT-GOVERNOR Sir Henry Young has to acknowledge the receipt of an Address of the Legislative Council, requesting the transmission to the Secretary of State of the Proceedings of the Council on the 22d, 27th, and 28th September 1854.

The Lieutenant-Governor will take the earliest opportunity of complying with this request, consistent with due deliberation. It is, however, incumbent on him to note that the motion adopted by the Council on the 22d September separates a few words of the Lieutenant-Governor's Despatch, No. 17, of the 31st January 1854, from the context, and thus falls short of that full and complete version of the subject which is essential to a fair interpretation of that isolated passage of the Despatch which the Council, in the motion of the 22d September, describes as "not in accordance with the records of the Council."

The Lieutenant-Governor frankly admits and regrets that there is a defect of precision in the brief extract of his Despatch quoted by the Council, which renders that passage capable of the construction put upon it by the Council.

The statement of the Despatch is, that the motion for an Elective Upper Chamber resulted in the adoption of the "previous question" by fifteen votes against seven.

It is also shown by a specification of names that, of the fifteen, eight were elective members.

The difference between fifteen and seven was then described to be a majority of eight elective members; whereas a more precise description would have stated it to be a majority which included eight elective members.

H. E. F. YOUNG,
Lieutenant-Governor.

October 10, 1854.

Enclosure 6 in No. 1.

Encl. 6 in No. 1.

MESSAGE.

Message, No. 34.

WITH reference to the Address of the Council requesting that a copy of the Proceedings of the Council on the 22d, 27th, and 28th September last be forwarded to Her Majesty's Principal Secretary of State for the Colonies, the Lieutenant-Governor finds it necessary to make the following observations:

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The adoption by a majority of four, in a House consisting of twenty members, of the second resolution of the 22d September last, viz.—"A nominated Upper Chamber is, in "the opinion of this Council, opposed to the wishes of a majority of the elected members "of this Council, as well as of the colonists at large, and that any amendment of the "Constitution establishing two Chambers, one of which shall consist of nominees of the "Crown, will not meet with the approbation of the colonists of South Australia"—is calculated to place Her Majesty's advisers in a position of much difficulty.

That resolution can only be regarded as a protest, on the part of the Legislature of this colony, against the introduction of the nominee element into the Colonial Parliament Bill.

Nevertheless, a subsequent resolution of the Council, namely, that agreed to on the 28th September, may be taken to infer that the Parliament Bill should receive the sanction of Her Majesty and the adoption of Parliament.

It is, however, very questionable whether Her Majesty's Government would be warranted in drawing such an inference; nor does the Lieutenant-Governor feel himself authorized to advise that such should be the interpretation to be given to the resolution of the Council on the 28th September.

It is possible that the meaning of the Council may be, to delegate to the Imperial Parliament the task of amending the Constitution proposed to be established by the Colonial Parliament Bill, so as to bring it into conformity with what the resolution in question represents to be the real wishes of the colonists of South Australia.

It is the wish, no less than the duty, of the Lieutenant-Governor to prevent the occurrence of any misconception on the part of Her Majesty's Government of the intentions of the Local Legislature; and therefore the Lieutenant-Governor now suggests the expediency of some more explicit declaration than that which is to be collected from the resolutions of the 22d and 28th September.

The Lieutenant-Governor, at the same time, expresses his belief that, while it would be the desire of the Secretary of State to give effect to any amendment of the Constitution of this province passed by the existing Council, the Secretary of State would not desire to withdraw from the Local Legislature that privilege of settling all the details of the Constitution which it was the intention of Her Majesty to confer.

H. E. F. Young,
Government House, October 18, 1854. Lieutenant-Governor.

No. 2.

No. 2.

Copy of a DESPATCH from Lieutenant-Governor Sir H. E. F. Young to the Right Hon. Sir George Grey, Bart.

(No. 108.)

Adelaide, November 27, 1854.
(Received Febuary 12, 1855.)

Sir,

Page 16.

Adverting to my Despatch of the 5th instant,* No. 97, I have the honour of enclosing two Addresses, Nos. 28 and 29, dated the 22d instant, which I have this day received from the Legislative Council, further relating to the Colonial Parliament Bill.

I have, &c.
The Right Hon. Sir G. Grey, (Signed) H. E. F. YOUNG.
&c. &c. &c.

Encl. 1 in No. 2.

Enclosure 1 in No. 2.

To his Excellency Sir Henry Edward Fox Young, Knight, Lieutenant-Governor of Her Majesty's Province of South Australia, &c. &c.

May it please your Excellency,—

The humble Address of the Legislative Council of South Australia
Showeth,—

That at a Meeting of the said Council, holden on the 22d November 1854,

It was resolved,—That an Address be presented to his Excellency the Lieutenant-Governor, in reply to his Excellency's Message No. 34, stating that the Council having taken the same into consideration, submit the following remarks in reply thereto:—

The Council would call his Excellency's further attention to the fact to which his Excellency has alluded in his message, that this resolution was "carried by a majority of four in a House consisting of twenty members." His Excellency will see, on referring to the division lists, that such majority comprised the names of twelve elected members voting for the motion, against the names of two elected members voting in the minority with the Government against the motion; and, in so far as the elected members are concerned, the Council readily agree in his Excellency's deduction as to its being "a protest against the nominee element of the Parliament Bill;" but as to the "difficulty in which it may place

Her Majesty's advisers," the Council are of opinion that the solution of the difficulty must be left in the hands of his Excellency's advisers, who, in their opinion, are the parties chargeable with having given rise to it, by the construction which they put on the Despatches of the Colonial Minister on the subject of the Amendment of the Constitution.

The Council have to express their satisfaction at the liberal views now stated by his Excellency to prevail in the Councils of Her Majesty's Secretary of State for the Colonies, but greatly regret that his Excellency's Government did not take the same view of the liberal intentions of the Colonial Minister when the Parliament Bill was introduced last Session: as, had his Excellency then done so, the resolution of the 22d September would not have been called for, and the difficulty in which his Excellency states Her Majesty's advisers are thereby placed would not have arisen.

The Council regret being obliged to address his Excellency at such unusual length; but the nature of his Excellency's message compels them to a minute reference to all matters connected with the Parliament Bill as introduced by his Excellency, and passed by this Council under the influence of the statements made by the official and nominee members, all of whom had been consulted by his Excellency on the details of the Parliament Bill, prior to its being laid before this Council. The member for East Adelaide, at the request of several of the elective members, brought forward a motion—"That, in the proposed Bill "for constituting a Parliament in South Australia, this Council are of opinion that the "Upper Chamber should be elective." During the debates on the first reading of the Parliament Bill and the motion above quoted, the government officials, as well as the nominee members, spoke and argued strongly in favour of the abstract principle of a nominated Upper Chamber, and were unanimous in their interpretation of the Despatches of Her Majesty's Secretary of State for the Colonies; first—"that in reference to the "constitution of the Upper Chamber, as consisting of nominated members, it was impossible "that the Government could arrive at any other conclusion than that the Despatches left "them no choice;" "that a specific measure had been proposed for our adoption, which "the Secretary of State left us free to accept or reject;" "that the vital principle of the Bill "was a Second Chamber nominated by the Crown;" and, second—"that the Despatches "confined the gift of the Crown lands to our acceptance of a Nominated Upper House;" "that the control of the Land Fund depended on our framing a Constitution similar to that "of Canada;" and the Colonial Secretary stated that if the Council "affirmed the principle "of the motion (in favour of an Elective Upper Chamber) it would be fatal to the Bill, and "the Government would support no other unless it contained the desired principle" (a nominated Upper Chamber). Under these circumstances some of the elective members —who had declared that their own opinions and those of their constituents were in favour of an Elective Upper Chamber—voted for the "previous question," and entered into what is termed "the compromise," in pursuance of which some modifications were introduced into the nominee clauses, and the Parliament Bill was passed in its present form; some of those who signed the compromise considering the nominee element of the Bill less objectionable than the continuation of the present system, which deprives the colonists of all control over the Land Fund—leaving it to be expended by a party not responsible to them, and on projects often opposed to the wishes of the colonists.

The Council have to express their regret at the unusual course which his Excellency has taken on their Address, in Message No. 23. His Excellency states "he will take "the earliest opportunity of complying with their request, (that it should be forwarded to "Her Majesty's Secretary of State for the Colonies) consistent with due deliberation." The Council are of opinion that it is his Excellency's duty to forward all such documents by the first opportunity that offers. And as to Message No. 34 and the Resolution, notice of which was given in accordance thereto by the Colonial Secretary, the Council can only regard these proceedings as another attempt to support and carry out the original views of his Excellency—as expressed by the officers of his Government during the discussions on the Parliament Bill and the resolution to which the Message refers—in explanation of the meaning of the Despatches in favour of a nominated Upper Chamber, together with the statement of his Excellency's Despatch of the 31st January 1854, "that the majority of the elected members preferred a nominated Upper Chamber." To affirm the resolution of which the Colonial Secretary had given notice, would not only be in direct opposition to the resolutions of the Council on the 22d, 27th, and 28th September, but would involve the further absurdity of declaring it to be advisable to call into existence a nominated Upper Chamber, opposed to the views and wishes of the colonists, for the purpose of immediately destroying it. And the Council are of opinion that the course taken by the Government during the late discussions, and by the present Message, is only calculated to mislead the Home Government into the belief that a majority of the colonists are not opposed to the nominee Upper Chamber. The Council do not consider that the Government has acted fairly by those members who were induced to sign the compromise by the representation as to the intentions of Her Majesty's Government, and thus to vote for a nominated Upper Chamber in opposition to their own opinions. The Colonial Secretary stated on a late occasion, that "the Government considered the compromise binding upon all parties until the views of the Home Government were made known." This statement is not justified by the terms of the document, which consists of a memorandum of the proposed alterations in clause 5. And the Council further regret that his Excellency's admission (in Message No. 34) of the willingness of the Home

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Government to give effect to *any* amendment of the Constitution proposed by this Council, was not made at an earlier period of the Session, when an Act to amend the Constitution might have been passed in time to foward it to England prior to the meeting of the Imperial Parliament.

Having thus called his Excellency's attention to all the circumstances connected with the introduction and passing of the Parliament Bill, and the resolutions of the 22d, 27th, and 28th September, the Council request that his Excellency will be pleased to lay the same, together with a copy of this Address, before Her Majesty's Principal Secretary of State for the Colonies.

JOHN MORPHETT, Speaker.

Encl. 2 in No. 2.

Enclosure 2 in No. 2.

To his Excellency Sir Henry Edward Fox Young, Knight, Lieutenant-Governor of Her Majesty's Province of South Australia, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The humble Address of the Legislative Council of South Australia

Showeth,—

THAT at a Meeting of the said Council, holden on the 22d November 1854,

It was Resolved,—That an Address be presented to his Excellency the Lieutenant Governor, stating that on the 2d November 1853, a motion to recommit the Schedule annexed to the Civil List Bill was negatived by a majoritv of eleven to eight, such majority comprising the names of the Colonial Secretary, Advocate General, and Collector of Customs, each of whom was personally interested in the bonus proposed to be given in such Schedule of the Civil List Bill to themselves individually, as the present holders of the offices of Colonial Secretary, Advocate General, and Collector of Customs respectively; and, inasmuch as it appears to the Council that it is contrary to the practice of Parliament to allow members to vote on questions in which their private interests are involved, and that votes so given may afterwards be struck off, this Council now request that his Excellency will be pleased to bring the foregoing statement of facts to the notice of Her Majesty's Principal Secretary of State for the Colonies.

JOHN MORPHETT, Speaker.

VAN DIEMEN'S LAND.

SOUTH AUSTRALIA.

Despatches from Lieutenant-Governor Denison.

No 1.

No. 1.

Copy of a DESPATCH from Lieutenant-Governor Sir W. Denison to the Right Hon. Sir George Grey, Bart.

Government House, Van Diemen's Land,
(No. 38.) November 8, 1854.

(Received February 12, 1855.)
(Answered No. 12. March 1, 1855, page 27.)

23rd Oct. 1854.

I have the honour to forward herewith a petition addressed by the Legislative Council to Her Most Gracious Majesty, praying that in respect of this colony the name of Tasmania be substituted for Van Diemen's Land.

There is a feeling here that to the name of Van Diemen's Land a certain stigma is attached, and that the name is somehow connected with the former condition of this Colony as a penal settlement.

As therefore the name "Tasmania" has been already recognized in the letters patent of the bishop, I would beg to submit that it would be desirable to accede to the prayer of the petitioners.

I have, &c.,
(Signed) W. DENISON.

The Right Hon. Sir G. Grey, Bart.
&c. &c. &c.

Encl. in No. 1.

Enclosure in No. 1.

To the Queen's most Excellent Majesty.

We, Your Majesty's loyal and dutiful subjects, the members of the Legislative Council of Van Diemen's Land, in Council assembled, beg leave to approach Your Majesty with the assurance of our attachment to Your Majesty's person and government.

We beg leave humbly to represent to Your Majesty that this portion of Your Majesty's dominions received the name of Van Diemen's Land when discovered in 1642, by Abel Jans Tasman, a Dutch navigator, who it is said so named it after Anthony Van Diemen, at that time Governor of Batavia, a Dutch settlement.

That a portion of the northern part of New Holland also bears the same designation.

That it is the humble opinion of this Council that the present time, when Your Majesty has been graciously pleased to confer on us free institutions, and revoked the Order in Council declaring this a penal settlement, and when Your Majesty has been further graciously pleased to signify Your Majesty's purpose to confer increased power and privileges on the colony, is a proper occasion for us to beg that Your Majesty will be pleased to determine the name which shall be given in future to this portion of the British Empire.

That Your Majesty has been pleased to issue letters patent creating this colony into a see, styled the Diocese of Tasmania.

That the colony is now frequently spoken of as Tasmania, and the colonists as Tasmanians, and that that name is preferred by the colonists generally, and by this Council.

We therefore humbly pray that Your Majesty will be graciously pleased to proclaim, that, in respect to this colony the name of Tasmania be substituted for that of Van Diemen's Land.

(Signed) Richard Dry,
Speaker.

Passed the Legislative Council the 23d day of October 1854.

(Signed) Fr. Hartwell Henslowe,
Clerk of the Council.

Despatches from the Secretary of State.

No. 1.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to Governor Sir HENRY YOUNG.

(No. 12.)

SIR, Downing Street, March 1, 1855.

I HAVE received Sir W. Denison's Despatch, No. 38. of the 8th of November last, forwarding a petition addressed to the Queen by the Legislative Council of Van Diemen's Land, praying that the name of Tasmania may be given to the colony instead of the present designation of Van Diemen's Land.

You will acquaint the Council that I have laid this petition before the Queen, who was pleased to receive it very graciously, and you will further acquaint that body that an early opportunity will be taken to give legal effect to the change which they desire on behalf of the colonists.

I have, &c.,

Governor Sir Henry Young, (Signed) G. GREY.
&c. &c. &c.

LONDON:
Printed by George E. Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

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FURTHER PAPERS

RELATIVE TO THE

ALTERATIONS IN THE CONSTITUTIONS

OF THE

AUSTRALIAN COLONIES.

The Constitutional Bills of New South Wales and Victoria, with the Portions which it is proposed to omit printed in *Italics*.

(*In continuation of Papers presented* 20*th April* 1855.)

Presented to both Houses of Parliament by Command of Her Majesty,
14 *May* 1855.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1855.

[927]

FURTHER PAPERS

RELATIVE TO THE

ALTERATIONS IN THE CONSTITUTION OF THE AUSTRALIAN COLONIES.

NEW SOUTH WALES.

ANNO DECIMO SEPTIMO VICTORIÆ REGINÆ.

By His Excellency Sir Charles Augustus Fitzroy, Knight Companion of the Royal Hanoverian Guelphic Order, Governor-General of all Her Majesty's Australian Possessions, and Captain-General and Governor-in-Chief of the territory of New South Wales and its dependencies, and Vice-Admiral of the same, with the advice and consent of the Legislative Council.

No. XLI.

An Act to confer a Constitution on New South Wales, and to grant a Civil List to Her Majesty.

Recital of 32d clause of 13 & 14 Vict. cap. 39.

WHEREAS by the thirty-second clause of the Imperial Act, passed in the Session holden in the thirteenth and fourteenth years of the reign of Her present Majesty, intituled "An Act for the better Government of Her Majesty's Australian Colonies," it was among other things enacted, that, notwithstanding anything therein-before contained, it should be lawful for the Governor and Legislative Council of this colony, from time to time, by any Act or Acts, to alter the provisions of laws for the time being in force under the said Imperial Act or otherwise concerning the election of the elective members of such Legislative Council, and the qualification of electors and elective members, or to establish in the said colony, instead of the Legislative Council, a council and a house of representatives, or other separate legislative houses, to consist of such members, to be appointed or elected by such person and in such manner as by such Act or Acts shonld be determined, and to vest in such council and house of representatives, or other separate legislative houses, the powers and functions of the Legislative Council for which the same may be substituted: And whereas it is expedient that the powers vested by the said Act in the said Governor and Legislative Council should be exercised, and that a Legislative Council and a Legislative Assembly, as constituted by this Act, should be substituted for the present Legislative Council, with the increased powers and functions herein-after contained: Be it therefore enacted, by his Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, as follows:—

Parliament of New South Wales.

General powers of the Parliament.

Assent to Bills.

I. There shall be in place of the Legislative Council now subsisting, one Legislative Council and one Legislative Assembly, to be severally constituted and composed in the manner herein-after prescribed; and within the said colony of New South Wales Her Majesty shall have power, by and with the advice and consent of the said council and assembly, to make laws for the peace, welfare, and good government of the said colony, in all cases whatsoever; *and all such laws being passed by the said council and assembly, and assented to by Her Majesty, or assented to in Her Majesty's name by the Governor of the said colony, shall be valid and binding to all intents and purposes within the said colony.* Provided that all bills for appropriating any part of the public revenue, for imposing any new rate, tax, or impost, subject always to the limitation contained in clause sixty-two of this Act, shall originate in the Legislative

Taxation and Appropriation Bills to originate in Assembly.

NEW SOUTH WALES.

Bills affecting imperial subjects.

Assembly of the said colony; *and further that all bills affecting any imperial subject may, in the discretion of the Governor for the time being, be reserved for the signification of Her Majesty's pleasure thereon, and if assented to by such Governor in the first instance, on behalf of Her Majesty, may be disallowed by Her Majesty in the manner and within the period herein-after limited.*

What Bills may be reserved for the signification of Her Majesty's pleasure.

II. The bills on imperial subjects which may be reserved for the signification of Her Majesty's pleasure, or which, after being assented to by the Governor in Her Majesty's name, may be afterwards disallowed by Her Majesty within the period herein-after specified, are as follow; that is to say,—

1. Bills touching the allegiance of the inhabitants of this colony to Her Majesty's Crown.

2. Bills touching the naturalization of aliens.

3. Bills relating to treaties between the Crown and any foreign power.

4. Bills relating to political intercourse and commmnications between this colony and any officer of a foreign power or dependency.

5. Bills relating to the employment, command, and discipline of Her Majesty's sea and land forces within this colony, and whatever relates to the defence of the colony from foreign aggression, including the command of the municipal militia and marine.

6. Bills relating to the crime of high treason.

Question as to Governor's right to reserve a Bill, or of Her Majesty's right to disallow a Bill, to be determined by Judicial Committee of Privy Council.

III. Whenever any question shall arise as to the right of the Governor to reserve any bill for the signification of Her Majesty's pleasure thereon, or as to the right of Her Majesty to disallow any such bill, the same shall be determined by the Judicial Committee of the Privy Council, and in no other manner, except by the consent of the said legislature of New South Wales, and such question shall be raised by an address to Her Majesty in Her Privy Council by both houses of the said legislature, setting forth the question so to be determined: Provided that all such bills shall be absolutely in abeyance pending any such determination, and that they shall be afterwards submitted for the signification of Her Majesty's pleasure thereon, or remitted to the colony for the exercise of the Governor's discretion, according to the decision of the Judicial Committee in each such case.

Appointment of Legislative Councillors.

IV. For the purpose of composing the Legislative Council of New South Wales, it shall be lawful for Her Majesty before the time to be appointed for the first meeting of the said Legislative Council and Assembly, by an instrument under the sign manual, to authorize the Governor, with the advice of the Executive Council, in Her Majesty's name, by an instrument or instruments under the great seal of the said colony, to summon to the said Legislative Council of the said colony, such persons, being not fewer than twenty-one, as the said Governor and Executive Council shall think fit; and it shall also be lawful for Her Majesty from time to time to authorize the Governor in like manner to summon to the said Legislative Council such other person or persons as the said Governor and Executive Council shall think fit; and every person who shall be so summoned shall thereby become a member of the Legislative Council of the said colony: Provided always, that no person shall be summoned to the said Legislative Council who shall not be of the full age of twenty-one years, and a natural-born subject of Her Majesty, or naturalized by an Act of the Imperial Parliament, or by an Act of the legislature of the said colony: Provided also, that not less than four fifths of the members so summoned to the Legislative Council shall consist of persons not holding any office of emolument under the Crown, except officers of Her Majesty's sea and land forces on full or half pay, or retired officers on pensions.

Tenure of office of Councillors.

V. The members of the first Legislative Council of the said colony who shall be so summoned by the Governor, with the advice of the Executive Council, shall hold their respective seats therein for five years from the date of the first summonses to the said Legislative Council; but all future members of the said Legislative Council who shall be summoned thereto after the expiration of the said five years, by the Governor, with the advice of the Executive Council, as aforesaid, shall hold their seats therein for the term of their natural lives, subject, nevertheless, to the provisions herein-after contained for vacating the same, and for altering and amending the future constitution of the said colony, as established by this Act.

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VI. It shall be lawful for any member of the Legislative Council to resign his seat therein, by a letter to the Governor, and upon the receipt of any such letter by the Governor the seat of such legislative councillor shall become vacant.

Resignation of Councillors.

VII. If any legislative councillor shall for two successive sessions of the legislature of the said colony fail to give his attendance in the said Legislative Council, without the permission of Her Majesty or of the Governor of the colony, signified by the said Governor to the Legislative Council, or shall take any oath or make any declaration or acknowledgment of allegiance, obedience, or adherence to any foreign prince or power, or shall do, concur in, or adopt any act whereby he may become a subject or citizen of any foreign state or power, or whereby he may become entitled to the rights, privileges, or immunities of a subject or citizen of any foreign state or power, or shall become bankrupt, or take the benefit of any law relating to insolvent debtors, or become a public contractor or defaulter, or be attainted of treason, or be convicted of felony, or of any infamous crime, his seat in such council shall thereby become vacant.

Vacating seat by absence.

VIII. Any question which shall arise respecting any vacancy in the Legislative Council, on occasion of any of the matters aforesaid, shall be referred by the Governor to the said Legislative Council, to be by the said Legislative Council heard and determined: Provided always, that it shall be lawful either for the person respecting whose seat such question shall have arisen, or for Her Majesty's Attorney-General for the said colony, on Her Majesty's behalf, to appeal from the determination of the said council in such case to Her Majesty, and that the judgment of Her Majesty, given with the advice of Her Privy Council, thereon shall be final and conclusive to all intents and purposes.

Trial of questions of vacancy.

IX. The Governor of the colony shall have power and authority from time to time by an instrument under the Great Seal of the said colony to appoint one member of the said Legislative Council to be President thereof, and to remove him and appoint another in his stead; and it shall be at all times lawful for the said President to take part in any debate or discussion which may arise in the said Legislative Council.

Appointment of President.

President may take part in debate.

X. The presence of at least one third of the members of the said Legislative Council, exclusive of the President, shall be necessary to constitute a quorum for the dispatch of business; and all questions which shall arise in the said Legislative Council shall be decided by a majority of votes of the members present, other than the President, and when the votes shall be equal the President shall have the casting vote: Provided always, that if the whole number of members constituting the said Legislative Council shall not be exactly divisible by three, the quorum of the said Legislative Council shall consist of such whole number as is next greater than one third of the members of the said Legislative Council.

Quorum, division, casting vote.

XI. For the purpose of constituting the Legislative Assembly of the said colony, it shall be lawful for the Governor thereof, within the time herein-after mentioned, and thereafter from time to time as occasion shall require, in Her Majesty's name, by an instrument or instruments under the great seal of the said colony, to summon and call together a Legislative Assembly in and for the said colony.

Convoking Assembly.

XII. The Legislative Assembly shall for the present consist of fifty-four members, to be elected by the inhabitants of the said colony having any of the qualifications mentioned in the next succeeding clause of this Act.

Number of Members of Assembly.

XIII. The qualifications for electors of the Legislative Assembly shall be as follows:—Every man of the age of twenty-one years, being a natural-born or naturalized subject of Her Majesty, or legally made a denizen of New South Wales, and having a freehold estate in possession, situate within the district for which his vote is to be given, of the clear value of one hundred pounds sterling money, above all charges and incumbrances in any way affecting the same, of or to which he has been seised or entitled, either at law or in equity, for at

Qualification of Electors.

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least six calendar months next before the last registration of electors, or being a householder within such district, occupying any house, warehouse, counting-house, office, shop, or other building of the clear annual value of ten pounds sterling money, and having occupied the same for six calendar months next before such registration as aforesaid, or having a leasehold estate in possession, situate within such district, of the value of ten pounds sterling money per annum, held upon a lease which at the time of such registration has not less than three years to run, or having a leasehold estate so situate and of such value as aforesaid, of which he has been in possession for three years or upwards next before such registration, or holding at the time of such registration a licence from the Government to depasture lands within the district for which his vote is to be given, or having a salary of one hundred pounds a year, and having enjoyed the same for six calendar months next before such registration, or being the occupant of any room or lodging, and paying for his board and lodging forty pounds a year, or for his lodging only at the rate of ten pounds a year, and having occupied the same room or lodging for six calendar months next before such registration as aforesaid, shall be entitled to vote at the election of a member of the Legislative Assembly: Provided always, that no man shall be entitled to vote who has been attainted or convicted of treason, felony, or other infamous offence in any part of Her Majesty's dominions, unless he have received a free or conditional pardon for such offence, or have undergone the sentence passed on him for such offence; and provided also, that no man shall be entitled to vote unless at the time of such registration of electors he shall have paid up all rates and taxes which shall have become payable by him as owner or leaseholder in respect of such estate, or as occupier in respect of such occupancy, or as the holder of a licence in respect of such licence, except such as shall have become payable during three calendar months next before such registration.

When joint owners and occupiers shall be entitled to be registered as voters and to vote.

XIV. Where any premises are jointly owned, occupied, or held on lease within the meaning of the last preceding clause, by more persons than one, each of such joint owners, occupiers, or leaseholders shall be entitled to be registered as a voter and to vote in respect of the said premises, in case the value of his individual interest therein, separately considered, would, under the first four provisions of the said last preceding section, entitle such owner, occupier, or leaseholder to be registered as a voter and to vote.

Division of the Colony into Electoral Districts, and the number of Members to be returned by each.

XV. Until further provision shall be made by the legislature of the said colony, all the provisions contained in "the Electoral Act of 1851," passed by the late Legislative Council in the fourteenth year of Her Majesty's reign, numbered forty-seven, except so much of the first clause thereof as relates to the number and constitution of the present Legislative Council, and so much of the third and other clauses thereof as is repugnant to this Act, shall be in force and apply to the election of members to serve in the Legislative Assembly constituted under this Act, except as follows:—

Electoral Districts.

The electoral districts of East Camden and West Camden shall each return two members instead of one member to serve in the said Legislative Assembly; the electoral district of the united counties of Cook and Westmoreland shall return two members; the counties of Murray, Saint Vincent, Roxburgh, and Wellington shall each form an electoral district, and each return one member; the county of Cumberland shall be divided into two ridings, to be called the north and south ridings; the north riding commencing where the great western road crosses Johnstone's Creek, and bounded on the south by the centre of that road bearing westerly to where it crosses the southern boundary of the electoral district of Parramatta near Beckett's Bridge, thence by part of the southern, by the eastern, northern, and western boundaries of the said electoral district, to the great western road near the toll-bar, thence again by the centre of that road bearing westerly to Emu Ferry on the Nepean River, on the west and north by the Nepean and Hawkesbury rivers to Broken Bay, and on the east by the sea coast and the southern shores of Port Jackson to Johnstone's Creek, and by Johnstone's Creek to the point of commencement, exclusive of the hamlets of Saint Leonard's and Balmain,

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and also excluding so much of the Cumberland boroughs as is embraced by the towns of Windsor and Richmond, and also so much of the borough of Penrith as is situated on the north side of the western road; and the south riding commencing where the great western road crosses Johnstone's Creek, and bounded on the north by the centre of that road bearing westerly to where it crosses the southern boundary of the electoral district of the town of Parramatta near Beckett's Bridge, thence by part of the southern boundary of the said electoral district bearing westerly to the great western road near the toll-bar, thence again by the centre of that road bearing westerly to Emu Ferry on the Nepean river, on the west by that river upwards to the confluence of the Cataract River, on the south by that river upwards to its source, and thence by a line bearing east twenty degrees south to the coast at Bulli, being the southern boundary of the county of Cumberland, on the east by the sea coast to Port Jackson, and again on the north by the southern shores of Port Jackson to Johnstone's Creek, and by Johnstone's Creek to the point of commencement, exclusive of the city of Sydney, and the hamlets of Paddington, Surrey Hills, Redfern, Chippendale, O'Connell Town, Camperdown, and Glebe, and also excluding so much of the Cumberland boroughs as is embraced by the towns of Liverpool and Campbell Town, and also so much of the borough of Penrith as is situated on the south side of the western road; and each of the said ridings shall return two members; the united counties of Northumberland and Hnnter shall return three members instead of two; the county of Durham shall return three members instead of two; the city of Sydney shall return four members instead of three; the Sydney hamlets, the town of Parramatta, the Northumberland boroughs, and the Stanley boroughs, shall each return two members instead of one member; the electoral districts of the pastoral districts of the Murrumbidgee, of the Lachlan and Lower Darling, of Liverpool Plains, and the Gwydir, and of New England and the M'Leay, shall each return two members instead of one member to serve in the said Legislative Assembly as aforesaid.

Electoral Lists.

XVI. The new classes of electors entitled to vote by this Act at the election of members of the Legislative Assembly shall be inserted in the electoral lists appointed to be made by the "Electoral Act of 1851," in the electoral districts in which they shall be respectively resident; and all such lists shall specify the christian and surnames of all such electors, the nature of the qualification and the place where they respectively reside; and all such lists shall be signed, delivered, printed, and hung up for public inspection by the persons and in the way in the said Act prescribed and shall be subject to the like claims and notice from any person whose name shall have been omitted therein, and to the like objections and notice as to the names of any person inserted therein, and to the like modes of altering, amending, or continuing any such lists, as are in these said several respects provided for in the said Electoral Act of 1851 as nearly as may be consistently with the rights of such new electors.

Power to alter system of representation.

XVII. It shall be lawful for the Legislature of the colony, by any Act or Acts to be hereafter passed, to alter the divisions and extent of the several counties, districts, cities, towns, boroughs, and hamlets which shall be represented in the Legislative Assembly, and to establish new and other divisions of the same, and to alter the apportionment of representatives to be chosen by the said counties, districts, cities, towns, boroughs, and hamlets respectively, and to alter the number of representatives to be chosen in and for the colony, and in and for the several electoral districts in the same, and to alter and regulate the appointment of returning officers, and make such new and other provision as they may deem expedient for the issuing and return of writs for the election of members to serve in the said Legislative Assembly, and the time and place of holding such elections: Provided always, that it shall not be lawful to present to the Governor of the Colony, for Her Majesty's assent, any bill by which the number or apportionment of representatives in the Legislative Assembly may be altered, unless the second and third readings of such bill in

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the Legislative Council and the Legislative Assembly respectively shall have been passed with the concurrence of a majority of the members for the time being of the said Legislative Council, and of two thirds of the members for the time being of the said Legislative Assembly; and the assent of Her Majesty shall not be given to any such bill unless an address shall have been presented by the Legislative Assembly to the Governor, stating that such bill has been so passed.

Qualification of Members of Assembly.

XVIII. Any person absolutely free (except as is herein-after excepted), who shall be qualified and registered as a voter in and for any electoral district within the said colony, shall be qualified to be elected a member of the Legislative Assembly for any electoral district within the said colony.

Members of Legislative Council incapable of being Members of Legislative Assembly.

XIX. No person being a member of the Legislative Council shall be capable of being elected, or of sitting or voting, as a member of the Legislative Assembly.

Disqualifying clause of Members of Assembly.

XX. Any person holding any office of profit under the Crown, or having a pension from the Crown during pleasure or for term of years, shall be incapable of being elected or of sitting or voting as a member of the Legislative Assembly, unless he be one of the following official members of the Government, that is to say, the Colonial Secretary, Colonial Treasurer, Auditor-General, Attorney-General, and Solicitor-General, or one of such additional officers, not being more than five, as the Governor, with the advice of the Executive Council, may from time to time, by a notice in the Government Gazette, declare capable of being elected a member of the said assembly.

Further disqualifying clause of Members of Assembly.

Pensions of officers of the navy and army.

XXI. If any member of the said assembly shall accept of any office of profit or pension from the Crown during pleasure, or for term of years, his election shall be thereupon and is hereby declared to be void, and a writ shall forthwith issue for a new election; provided that nothing in this Act contained shall extend to any person in receipt only of pay, half-pay, or a pension as an officer in Her Majesty's navy or army, or who shall receive any new or other commission in the navy or army respectively, or any increase of pay on such commission, or to any of the official members of the Government, or other officers referred to in the last preceding clause of this Act, who may accept any other office.

Disqualifying ministers of religion.

XXII. No person shall be capable of being elected a member to serve in the said assembly, and of sitting and voting therein, who shall be a minister of the Church of England, or a minister, priest, or ecclesiastic, either according to the rites of the Church of Rome or under any other form or profession of religious faith or worship.

Duration of Assembly.

XXIII. Every Legislative Assembly of the said Colony, hereafter to be summoned and chosen, shall continue for five years from the day of the return of the writs for choosing the same, and no longer; subject, nevertheless, to be sooner prorogued or dissolved by the Governor of the said colony.

Election of the Speaker.

XXIV. The members of the Legislative Assembly shall, upon the first assembling after every general election, proceed forthwith to elect one of their number to be Speaker; and in case of his death, resignation, or removal by a vote of the said Legislative Assembly, the said members shall forthwith proceed to elect another of such members to be such Speaker; and the Speaker so elected shall preside at all meetings of the said Legislative Assembly, except as may be provided by the standing rules and orders herein-after authorized to be made.

Quorum, division, casting vote.

XXV. The presence of at least twenty members of the Legislative Assembly, exclusive of the Speaker, shall be necessary to constitute a meeting of the said Legislative Assembly for the dispatch of business; and all questions (except as herein is excepted) which shall arise in the said assembly shall be decided by the majority of votes of such members as shall be present, other than the Speaker, and when the votes shall be equal the Speaker shall have the casting vote.

Assembly may proceed to business, although writs not

XXVI. Upon any general election, the Legislative Assembly shall be competent to proceed to the dispatch of business at the time appointed by the

Governor for that purpose, notwithstanding that any of the writs of election (not exceeding five) shall not have been returned, or that in any of the electoral districts the electors shall have failed to elect a member to serve in the said assembly.

exceeding five shall not have been returned.

XXVII. It shall be lawful for any member of the assembly, by writing under his hand, addressed to the Speaker of the said House, to resign his seat therein, and upon the receipt of such resignation by the Speaker the seat of such member shall become vacant.

Resignation of seats in the Assembly.

XXVIII. If any member of the assembly shall for one whole session of the legislature, without the permission of the assembly, entered upon its journals, fail to give his attendance in the said House, or shall take any oath or make any declaration or acknowledgment of allegiance, obedience, or adherence to any foreign prince or power, or do or concur in or adopt any act whereby he may become a subject or citizen of any foreign state or power, or become entitled to the rights, privileges, or immunities of a subject of any foreign state or power, or shall become bankrupt or an insolvent debtor within the meaning of the laws in force within the said colony relating to bankrupts or insolvent debtors, or shall become a public defaulter, or be attainted of treason, or be convicted of felony or any infamous crime, his seat in such assembly shall thereby become vacant.

Vacating seats of Members of Assembly in certain cases.

XXIX. When and so often as a vacancy shall occur as aforesaid, upon a resolution by the assembly declaring such vacancy and the cause thereof, the Speaker shall cause a writ to be issued for supplying such vacancy; provided that the Speaker may issue such writ without such preceding resolution, when the assembly is not in session.

Election to take place on vacancies.

XXX. Any person who shall directly or indirectly, himself or by any person whatsoever in trust for him, or for his use or benefit or on his account, undertake, execute, hold, or enjoy, in the whole or in part, any contract or agreement for or on account of the public service, shall be incapable of being summoned or elected or of sitting or voting as a member of the Legislative Council or Legislative Assembly during the time he shall execute, hold, or enjoy any such contract, or any part or share thereof, or any benefit or emolument arising from the same; and if any person, being a member of such council or assembly, shall enter into any such contract or agreement, or having entered into it shall continue to hold it, his seat shall be declared by the said Legislative Council or Legislative Assembly, as the case may require, to be void, and thereupon the same shall become and be void accordingly; provided always, that nothing herein contained shall extend to any contract or agreement made, entered into, or accepted by any incorporated company, or any trading company, consisting of more than twenty persons, where such contract or agreement shall be made, entered into, or accepted for the general benefit of such incorporated or trading company.

Disqualifying contractors and persons interested in contracts from being Members of either House.

Proviso exempting from disqualification members of companies exceeding twenty in number.

XXXI. If any person by this Act disabled or declared to be incapable to sit or vote in the Legislative Council or Legislative Assembly shall nevertheless be summoned to the said council, or elected or returned as a member to serve in the said assembly for any electoral district, such summons, or election and return, shall and may be declared by the said council and assembly, as the case may require, to be void, and thereupon the same shall become and be void to all intents and purposes whatsoever; and if any person, under any of the disqualifications mentioned in the last preceding section, shall, whilst so disqualified, presume to sit or vote as a member of the said council or assembly, such person shall forfeit the sum of five hundred pounds, to be recovered by any person who shall sue for the same in the supreme court of New South Wales.

Election of disqualified persons void.

Penalty on their sitting or voting.

XXXII. It shall be lawful for the Governor of the colony for the time being to fix such place or places within any part of the colony, and such times for holding the first and every other session of the Legislative Council and Assembly of the said colony, as he may think fit, such times and places to be afterwards changed or varied as the Governor may judge advisable and most consistent with general convenience and the public welfare, giving sufficient notice thereof;

Place and time of holding Parliament.

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and also to prorogue the said Legislative Council and Assembly from time to time, and to dissolve the said assembly by proclamation or otherwise, whenever he shall deem it expedient.

One Session of Parliament to be held in each year.

XXXIII. There shall be a session of the Legislative Council and Assembly once at least in every year, so that a period of twelve calendar months shall not intervene between the last sitting of the Legislative Council and Assembly in one session and the first sitting of the Legislative Council and Assembly in the next session.

First calling together of Parliament.

XXXIV. The Legislative Council and Assembly shall be called together for the first time at some period not later than six calendar months next after the proclamation of this Act by the Governor of the said colony.

No Member to sit or vote until he has taken the following Oath of Allegiance.

XXXV. No member either of the Legislative Council or of the Legislative Assembly shall be permitted to sit or vote therein until he shall have taken and subscribed the following oath before the Governor of the colony, or before some person or persons authorized by such Governor to administer such oath:—

"I, A. B., do sincerely promise and swear, that I will be faithful and bear "true allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the "United Kingdom of Great Britain and Ireland, and of this colony of New "South Wales, dependent on and belonging to the said United Kingdom. So "help me God."

And whensoever the demise of Her present Majesty (whom may God long preserve), or of any of her successors to the Crown of the said United Kingdom, shall be notified by the Governor of the colony to the said council and assembly respectively, the members of the said council and assembly shall, before they shall be permitted to sit and vote therein, take and subscribe the like oath of allegiance to the successor for the time being to the said Crown.

Affirmation may be made instead of Oath.

XXXVI. Provided, that every person authorized by law to make an affirmation instead of taking an oath may make such affirmation in every case in which an oath is herein-before required to be taken.

Standing Rules and Orders to be made.

XXXVII. The said Legislative Council and Assembly in the first session of each respectively, and from time to time afterwards as there may be occasion, shall prepare and adopt such standing rules and orders as shall appear to the said council and assembly respectively best adapted for the orderly conduct of such council and assembly respectively, and for the manner in which such council and assembly shall be presided over in case of the absence of the President or the Speaker, and for the mode in which such council and assembly shall confer, correspond, and communicate with each other relative to votes or bills passed by or pending in such council and assembly respectively, and for the manner in which notices of bills, resolutions, and other business intended to be submitted to such council and assembly respectively at any session thereof, may be published for general information, and for the proper passing, entitling, and numbering of the bills to be introduced into and passed by the said council and assembly, and for the proper presentation of the same to the Governor for the time being, for Her Majesty's assent; all of which rules and orders shall, by such council and assembly respectively, be laid before the Governor, and being by him approved shall become binding and of force.

Bills presented to the Governor for Assent.

XXXVIII. Every bill which has been passed by the Legislative Council and Assembly shall be presented for Her Majesty's assent to the Governor of the said colony, and the Governor, in all bills relating to the local or municipal affairs of the said colony, shall declare at once, according to his discretion, that he assents to such bill in Her Majesty's name, or that he withholds Her Majesty's assent; and in all bills touching or affecting any imperial subject, the Governor shall declare, according to his discretion, but subject nevertheless to the provisions contained in this Act, and to such instructions as may from time to time be given in that behalf by Her Majesty, her heirs or successors, that he assents to such bill in Her Majesty's name, or that he withholds Her Majesty's assent, or that he reserves such bill for the signification of Her Majesty's pleasure thereon.

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Disallowance of Bills assented to.

XXXIX. Whenever any bill affecting any imperial subject which shall have been presented for Her Majesty's assent to the Governor of the colony shall by such Governor have been assented to in Her Majesty's name, the Governor shall by the first convenient opportunity transmit to one of Her Majesty's Principal Secretaries of State an authentic copy of such bill so assented to; and it shall be lawful, at any time within six calendar months after such bill shall have been so received by the Secretary of State, for Her Majesty by Order in Council to declare her disallowance of such bill, and such disallownace, together with a certificate under the hand and seal of the Secretary of State, certifying the day on which such bill was received as aforesaid, being signified by the Governor to the Legislative Council and Assembly of the said colony, by speech or message to the said council, or by proclamation in the New South Wales Government Gazette, shall make void and annul the same from and after the day of such signification.

Reserved Bill not to have force until Governor shall signify Her Majesty's assent thereto.

XL. No bill which shall be so reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within the said colony until the Governor shall signify, either by speech or message to the said Legislative Council and Assembly, or by proclamation, that such bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the said bill; and no bill which shall be so reserved as aforesaid shall have any force or authority in the said colony unless Her Majesty's assent thereto shall have been so signified as aforesaid, within the space of eighteen calendar months from the day on which such bill shall have been presented for Her Majesty's assent to the Governor as aforesaid.

Entry of Message or Proclamation notifying disallowance of bills or assent to reserved bills to be made in Journals.

XLI. In either of the cases mentioned in the last two preceding clauses an entry shall be made in the journals of the said Legislative Council and Assembly of every such speech, message, or proclamation, and a duplicate thereof, duly attested, shall be delivered to the Registrar of the Supreme Court, or other proper officer, to be kept among the records of the said colony.

Legislature, as constructed by this Act, empowered to alter any of its provisions.

XLII. Notwithstanding anything herein-before contained, the legislature of the said colony as constituted by this Act shall have full power and authority, from time to time, by any Act or Acts, to alter the provisions or laws for the time being in force under this Act or otherwise concerning the Legislative Council, the nomination or election of another Legislative Council, to consist respectively of such members to be appointed or elected respectively by such person or persons and in such manner as by such Act or Acts shall be determined: Provided always, that it shall not be lawful to present to the Governor of the said colony, for Her Majesty's assent, any bill by which any such alteration in the constitution of the said colony may be made, unless the second and third readings of such bill shall have been passed with the concurrence of two thirds of the members for the time being of the said Legislative Council and of the said Legislative Assembly respectively: Provided also, that every bill which shall be so passed for any of such purposes shall be reserved for the signification of Her Majesty's pleasure thereon, and a copy of such bill shall be laid before both Houses of the Imperial Parliament for the period of thirty days at the least before Her Majesty's pleasure thereon shall be signified.

Governor in certain cases to conform to Her Majesty's instructions.

XLIII. It shall be lawful for Her Majesty, with the advice of Her Privy Council, or under Her Majesty's signet and sign manual through one of her Principal Secretaries of State, from time to time to convey to the Governor of New South Wales such instructions as to Her Majesty shall seem meet for the guidance of such Governor in the exercise of the powers hereby invested in him of assenting to or dissenting from, or for reserving for the signification of Her Majesty's pleasure, bills to be passed by the said Legislative Council and Assembly affecting any imperial subject, and so that such instructions do not in any way fetter the Governor's discretion in giving or refusing Her Majesty's assent to bills of mere local or municipal concernment.

Appointment to offices under the Government of the Colony to be vested in the Governor.

XLIV. The appointment to all public offices under the government of the colony hereafter to become vacant or to be created, whether such offices be salaried or not, shall be vested in the Governor, with the advice of the Executive Council, with the exception of the appointments of the officers liable to retire from office on political grounds as herein-after mentioned, which appoint-

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ments shall be vested in the Governor alone: Provided always, that this enactment shall not extend to minor appointments, which, by Act of the legislature or by order of the Governor and Executive Council, may be vested in heads of departments, or other officers or persons within the colony.

Judges continued in the enjoyment of their offices during their good behaviour, notwithstanding any demise of the Crown: But they may be removed by the Crown on the address of Parliament.

XLV. The commissions of the present judges of the supreme court of the said colony, and of all future judges thereof, shall be, continue, and remain in full force during their good behaviour, notwithstanding the demise of Her Majesty (whom may God long preserve), or of her heirs and successors, any law, usage, or practice to the contrary thereof in anywise notwithstanding.

XLVI. It shall be lawful, nevertheless, for Her Majesty, her heirs or successors, to remove any such judge or judges upon the address of both houses of the legislature of this colony.

Their salaries secured during the continuance of their Commissions.

XLVII. Such salaries as are settled upon the judges for the time being by Act of Parliament or otherwise, and also such salaries as shall or may be in future granted by Her Majesty, her heirs and successors, or otherwise, to any future judge or judges of the said supreme court, shall in all time coming be paid and payable to every such judge and judges for the time being so long as the patents or commissions of them or any of them respectively shall continue and remain in force.

Existing Law saved.

XLVIII. All laws, statutes, and ordinances which at the time of the passing of this Act shall be in force within the said colony shall remain and continue to be of the same force, authority, and effect as if this Act had not been made, except in so far as the same are repealed or varied by this Act, or in so far as the same shall or may hereafter, by virtue and under the authority of this Act, be repealed or varied by any Act or Acts of the legislature of the said colony.

Courts of Justice, Commissions, Officers, &c.

XLIX. All the courts of civil and criminal jurisdiction within the said colony, and all charters, legal commissions, powers, and authorities, and all officers, judicial, administrative, or ministerial, within the said colony respectively, except in so far as the same may be abolished, altered, or varied by or may be inconsistent with the provisions of this Act, or shall be abolished, altered, or varied by any Act or Acts of the legislature of the colony, or other competent authority, shall continue to subsist in the same form and with the same effect as if this Act had not been made.

Legislature empowered to make laws regulating sale and other disposal of Waste Lands.

L. Subject to the provisions herein contained, it shall be lawful for the legislature of this colony to make laws for regulating the sale, letting, disposal, and occupation of the waste lands of the Crown within the said colony.

Duties not to be levied on supplies for troops, nor any duties inconsistent with treaties.

LI. It shall not be lawful for the legislature of the colony to levy any duty upon articles imported bonâ fide for the supply of Her Majesty's land or sea forces, nor to levy any duty, impose any prohibition or restriction, or grant any exemption from any drawback or other privileges upon the importation or exportation of any articles, nor to enforce any dues or charges upon shipping, contrary to or at variance with any treaty or treaties concluded by Her Majesty with any foreign power.

Customs duties may be imposed not differential, though contrary to existing Acts of Parliament.

LII. Subject to the provisions of this Act, and notwithstanding any Act or Acts of the Imperial Parliament now in force to the contrary, it shall be lawful for the legislature of the colony to impose and levy such duties of customs as to them may seem fit on the importation into the colony of any goods, wares, and merchandise whatsoever, whether the produce of or exported from the United Kingdom or any of the colonies or dependencies of the United Kingdom, or any foreign country: Provided always, that no new duty shall be so imposed upon the importation into the said colony of any article the produce or manufacture of or imported from any particular country or place which shall not be equally imposed on the importation into the said colony of the like article the produce or manufacture of or exported from all other countries and places whatsoever.

Boundaries of the Colony.

LIII. For the purpose of this Act, the boundaries of the colony of New South Wales shall, except as herein-after excepted, comprise all that portion of Her Majesty's territory of Australia or New Holland lying between the one hundred and twenty-ninth and one hundred and fifty-fourth degrees of east

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longitude, reckoning from the meridian of Greenwich, and northward of the fortieth degree of south latitude, including all the islands adjacent in the Pacific Ocean within the latitude aforesaid, and also including Lord Howe Island, being in or about the latitude of thirty-one degrees thirty minutes south, and the one hundred and fifty-ninth degree of east longitude, reckoning from the said meridian of Greenwich, save and except the territories comprised within the boundaries of the province of South Australia and the colony of Victoria, as at present established: Provided always, that nothing herein contained shall be deemed to prevent Her Majesty from altering the boundary of the colony of New South Wales on the north in such manner as to Her Majesty may seem fit, nor from detaching from the said colony that portion of the same which lies between the western boundary of South Australia and the one hundred and twenty-ninth degree of east longitude, reckoning from the said meridian of Greenwich.

Boundaries of the Colonies of N. S. Wales, Victoria, & South Australia not to be altered without Legislative sanction of the Colony parting with its territory.

LIV. No alteration, except as is provided in the last preceding clause, shall take place in the boundaries of the respective colonies of New South Wales, Victoria, or South Australia, unless the assent of the colony losing any portion of its territory by such alienation shall be expressed in some legislative provision of such colony.

Preamble to Civil List Clauses.

And whereas the Legislative Council of New South Wales, constituted under the Imperial Act passed in the session holden in the thirteenth and fourteenth years of the reign of Her present Majesty, intituled "An Act for the better "Government of Her Majesty's Australian Colonies," are desirous that Her Majesty should owe to the spontaneous liberality of her people in this colony such grant by way of civil list, in lieu of the provision contained in the schedule to that Act, as shall be sufficient to give stability and security to the civil institutions of the colony, and to provide for the adequate remuneration of able and efficient officers in the executive, judicial, and other departments of Her Majesty's colonial service, the granting of which civil list belongs constitutionally only to Her Majesty's faithful people, through their representatives in the said Legislative Council; and Her Majesty's most dutiful and loyal subjects, the members of the said Legislative Council, in council assembled, being desirous that a certain competent revenue for the purpose may be settled upon Her Majesty (to whom may God grant a long and happy reign), as a testimony of their unfeigned affection to Her Majesty's person and government, have accordingly freely resolved, in lieu of the aforesaid statutable provision for the like purpose, to grant to Her Majesty, her heirs and successors, a certain revenue payable out of the consolidated revenue fund of this colony: Be it therefore further enacted as follows:—

All duties and revenues to form consolidated revenue fund.

LV. All taxes, imposts, rates, and duties, and all territorial, casual and other revenues of the Crown (including royalties), from whatever source arising within this colony, and over which the present or future legislature has or may have power of appropriation, shall form one consolidated revenue fund, to be appropriated for the public service of this colony, in the manner and subject to the charges herein-after mentioned.

Such fund permanently charged with expenses of collection.

LVI. The consolidated revenue fund of this colony shall be permanently charged with all the costs, charges, and expenses incident to the collection, management, and receipt thereof, such costs, charges, and expenses being subject nevertheless to be reviewed and audited in such manner as shall be directed by any Act of the legislature.

Civil List of 64,300*l.* payable to Her Majesty.

LVII. There shall be payable in every year to Her Majesty, her heirs and successors, out of the consolidated revenue fund of this colony, the several sums not exceeding in the whole the sum of sixty-four thousand and three hundred pounds for defraying the expense of the several services and purposes named in the schedules A., B., and C. to this Act annexed, the said several sums to be issued by the Colonial Treasurer in discharge of such warrant or warrants as shall be from time to time directed under the hand of the Governor; and the said Treasurer shall account to Her Majesty for the same through the Lords Commissioners of Her Majesty's Treasury, in such manner and form as Her Majesty shall be graciously pleased to direct.

Civil List to be accompanied by surrender of all

LVIII. The said several sums mentioned in schedules A., B., and C. shall be accepted and taken by Her Majesty, her heirs and successors, by way of

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Revenues of the Crown.

civil list, instead of all territorial, casual, and other revenues of the Crown (including all royalties), from whatever source arising within the said colony, and to the disposal of which the Crown may be entitled, either absolutely or conditionally, or otherwise howsoever.

Pensions payable to Judges of Supreme Court.

Pensions payable to certain Officers liable to removal from office upon political grounds.

Provisoes in reference to Judges and such officers.

LIX. Not more than four thousand five hundred and fifty pounds in each year shall be payable for pensions to the judges of the supreme court, out of the sum set apart for pensions in the said schedule B.; and not more than five thousand nine hundred pounds in each year shall be payable by way of pension or retiring allowance for the present incumbents of any office or department mentioned in the said schedule B., who, on political grounds, may retire or be released from any such office or department: Provided always, that pensions shall be demandable by such judges to the amount of seven tenths of their actual salaries on permanent disability or infirmity, or after fifteen years service as such judge in this colony; and that so far as the present judges are concerned, every three years service in any judicial office in this colony, other than the office of a judge of the supreme court, shall be equivalent to one year's service as such judge of the supreme court: Provided also, that the officers so liable to retire or be released shall be the Attorney-General, and Solicitor-General, the Colonial Secretary, Colonial Treasurer, and Auditor-General, and upon the retirement or release from office of any of the present officers they shall be entitled by way of pension or retiring allowance to the full amount of the salaries respectively received by them at the time of the passing of this Act: Provided also, that if after the assignment of any such pension or retiring allowance any of such judges or officers shall accept any new appointment under the Crown, then and in every such case the pension or retiring allowance of any such judge or officer shall merge or be reduced pro tanto during the tenure of such appointment, according as the salary or emoluments of any such new appointment are of greater or less amount than the pension or retiring allowance of such judge or officer.

Superannuation Pensions to certain other officers not liable to removal upon political grounds.

To be regulated by Superannuation Act, 4 & 5 William IV. cap. 24.

LX. Not more than three thousand five hundred pounds in each year shall be payable for pensions to superannuated officers: Provided always, that the amount of all such pensions for such superannuated officers shall be according to the several scales and rates fixed by the Superannuation Act of the Parliament of Great Britain and Ireland passed in the session of the fourth and fifth years of the reign of His late Majesty King William the Fourth, and that a list of all pensions granted under this Act, and of the persons to whom the same shall have been granted, shall be laid in every year before both houses of the legislature of the colony.

Consolidated Revenue to be appropriated by Act of the Legislature.

Debenture or any other charges on Consolidated Revenue Fund not to be affected by such consolidation.

LXI. After and subject to the payments to be made under the provisions herein-before contained, all the consolidated revenve fund herein-before mentioned shall be subject to be appropriated to such specific purposes as by any Act of the legislature of the colony shall be prescribed in that behalf; provided that the consolidation of the revenues of this colony shall not affect the payment of the annual interest or the principal sums mentioned in any outstanding debentures or other charge upon the territorial revenue, as such interest, principal, or other charge severally becomes due, nor shall such consolidation affect the payment of any sum or sums heretofore charged upon the taxes, duties, rates, and imposts now raised, levied, and collected, or to be raised, levied, and collected to and for the use of this colony, for such time as shall have been appointed by any Acts of the said legislature by which any such charge was authorized.

No money vote or bill lawful unless recommended by Governor.

LXII. It shall not be lawful for the Legislative assembly to originate or pass any vote, resolution, or bill for the appropriation of any part of the said consolidated revenue fund, or of any other tax or impost, to any purpose which shall not have been first recommended by a message of the Governor to the said Legislative Assembly, during the session in which such vote, resolution, or bill shall be passed.

No part of Public Revenue to be issued except on warrants from Governor.

LXIII. No part of Her Majesty's revenue in the said colony, arising from any of the sources aforesaid, shall be issued or shall be made issuable except in pursuance of warrants under the hand of the Governor of the colony directed to the public Treasurer thereof.

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LXIV. This Act shall be proclaimed in New South Wales by the Governor thereof within one calendar month after official information of the Royal Assent thereto shall have been received by such Governor, and shall take effect within the said colony from the day of the proclamation thereof.

Proclamation and commencement of Act.

LXV. In the construction of this Act, the term "Governor" shall mean the person for the time being lawfully administering the government of the colony of New South Wales.

Interpretation of term "Governor."

LXVI. The foregoing provisions of this Act shall have no force or effect until so much and such parts of the Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the thirteenth and fourteenth years of Her Majesty's reign, intituled "An Act for the better government of "the Australian Colonies," and the first, second, and third parts of the Schedule A. therein referred to, and of another Act passed in the fifth and sixth years of Her Majesty's reign, intituled "An Act for the government of "New South Wales and Van Diemen's Land," and of another Act passed in the said fifth and sixth years of Her Majesty's reign, intituled "An Act for "regulating the Sale of Waste Land belonging to the Crown in the Australian "Colonies," and of another Act passed in the eighth year of Her Majesty's reign, intituled "An Act to clear up doubts as to the regulation and audit of "the Customs of New South Wales," and of another Act passed in the same year, intituled "An Act to explain and amend the Act for the Government of "New South Wales and Van Diemen's Land," and of another Act passed in the ninth year of the reign of His late Majesty King George the Fourth, intituled "An Act to provide for the Administration of Justice in New South "Wales and Van Diemen's Land, and for the more effectual Government "thereof, and for other purposes relating thereto," and of another Act passed in the ninth and tenth years of Her Majesty's reign, intituled "An Act to "amend an Act for regulating the sale of waste land belonging to the Crown "in the Australian colonies, and to make further provisions for the management "thereof," as severally relate to the colony of New South Wales, and as are repugnant to this Act, shall have been repealed, and the entire management and control of the waste lands belonging to the Crown in the said colony of New South Wales, and also the appropriation of the gross proceeds of the sales of any such lands and of all other proceeds and revenues of the same, from whatever source arising within the said colony, including all Royalties, mines, and minerals, shall be vested in the legislature of the said colony: Provided, that nothing herein contained shall affect or be construed to affect any contract or to prevent the fulfilment of any promise or engagement made by or on behalf of Her Majesty, with respect to any lands situate within the said colony in cases where such contracts, promises, or engagements shall have been lawfully made before the time at which this Act shall take effect within this colony, nor to disturb or in any way interfere with or prejudice any vested or other rights which have accrued or belong to the licensed occupants or lessees of any Crown lands within or without the settled districts, under and by virtue of the aforesaid Act of the Parliament passed in the ninth and tenth years of Her Majesty's reign, or of any order or orders of Her Majesty in Council issued in pursuance thereof.

Provisions of this Act to have no force until so much of 13 & 14 Vict. cap. 59., and so much also of 5 & 6 Vict. cap. 76., 5 & 6 Vict. cap. 36., and of 7 & 8 Vict. cap. 72., 7 & 8 Vict. cap. 74., 9 Geo. IV. cap. 83., and 9 & 10 Vict. cap. 104., as relates to this Colony, and is repugnant to reserved bills, be repealed, and the entire management of Crown Lands, and all revenues thence arising, be vested in the Local Legislature. This provision not to affect any previous contracts of Her Majesty respecting any such lands, nor any vested rights which have arisen under 9 & 10 Vict. cap. 104., nor any vested right or interest which has accrued under any Order of Council issued by Her Majesty in Council in pursuance thereof.

Passed the Legislative Council, this twenty-first day of December one thousand eight hundred and fifty-three.

CHARLES NICHOLSON,
Speaker.
W. MACPHERSON,
Clerk of the Council.

In the name and on behalf of Her Majesty, I reserve this bill for the signification thereon of Her Majesty's pleasure.

CHAS. A. FITZROY,
Government House, Sydney, December 22, 1853. Governor-General.

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SCHEDULE A.

	Salaries payable whilst the present Incumbents are in Office.			Salaries to be paid in future as Vacancies occur.		
	£	s.	d.	£	s.	d.
To be placed at the disposal of Her Majesty, for the Salary of the Governor-General, if Her Majesty see fit; otherwise to revert to the Consolidated Revenue Fund - - - -	7,000	0	0	7,000	0	0
One Chief Justice - - - -	2,000	0	0	2,000	0	0
Three Judges, including one for Moreton Bay -	4,500	0	0	4,500	0	0
Colonial Secretary - - - -	2,000	0	0	2,000	0	0
Colonial Treasurer - - - -	1,250	0	0	1,250	0	0
Auditor-General - - - -	900	0	0	900	0	0
Attorney-General - - - -	1,500	0	0	1,500	0	0
Solicitor-General - - - -	1,000	0	0	1,000	0	0
Governor's Private Secretary - - -	400	0	0	400	0	0
Master in Equity and Curator of Intestate Estates and Chief Commissioner of Insolvent Estates -	1,000	0	0			
Chairman of Quarter Sessions and Commissioner of Court of Requests - - - -	800	0	0			
	22,350	0	0	20,550	0	0

SCHEDULE B.

	£	s.	d.
Pensions to Judges on their ceasing to hold office. (Until demandable and claimed, this amount, or any unclaimed portion of it, to revert to the Consolidated Revenue Fund.) - - - -	4,550	0	0
Pensions to existing Officers of the Government liable on political grounds to retire or be released from office upon their retirement or release. (Upon the demise of these officers, or until their retirement or release, their respective pensions, or this amount, (as the case may be,) to revert to the Consolidated Revenue Fund.) - - -	5,900	0	0
Pensions to officers of government not liable on political grounds to retire or be released from office, according to the scales and rates fixed by the Superannuation Act of the Imperial Parliament, 4 & 5 Wm. IV., c. 24. (Any portion of this fund which may not be drawn during any year to revert to the Consolidated Revenue Fund.) -	3,500	0	0
	13,950	0	0

SCHEDULE C.

	£	s.	d.
Public worship - - - - - -	28,000	0	0

VICTORIA.

ANNO DECIMO SEPTIMO VICTORIÆ REGINÆ.

By his Excellency Charles Joseph La Trobe, Esquire, Lieutenant-Governor of the Colony of Victoria and its dependencies, with the advice and consent of the Legislative Council.

An Act to establish a Constitution in and for the Colony of Victoria.
[25th March 1854.]

Preamble.

WHEREAS by an Act of the Imperial Parliament of the United Kingdom of Great Britain and Ireland, passed in the session holden in the thirteenth and fourteenth years of the reign of Her present Majesty, intituled "An Act for the better government of Her Majesty's Australian colonies," it was amongst other things enacted that notwithstanding anything therein-before contained, it should be lawful for the Governor and Legislative Council of the colony of Victoria after the establishment therein of a Legislative Council under the said Act, from time to time by any Act or Acts to alter the provisions or laws for the time being in force under the said Act, or otherwise concerning the election of the elective members of such Legislative Council, the qualification of electors and elective members, or to establish in the said colony, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Houses, to consist respectively of such members to be appointed or elected respectively by such persons and in such maner as by such Act or Acts should be determined, and to vest in such Council and House of Representatives, or other separate Legislative Houses, the powers and functions of the Legislative Council for which the same might be substituted: And whereas it is expedient to establish in the said colony separate Legislative Houses, and to vest in them as well the powers and functions of the Legislative Council now subsisting, as the other and additional powers and functions herein-after mentioned: Be it therefore enacted by his Excellency the Lieutenant-Governor of the said colony of Victoria, by and with the advice and consent of the Legislative Council thereof, as follows:

Separate Legislative Houses established.

I. There shall be established in Victoria, instead of the Legislative Council now subsisting, one Legislative Council and one Legislative Assembly, to be severally constituted in the manner herein-after provided, and Her Majesty shall have power by and with the advice and consent of the said Council and Assembly to make laws in and for Victoria in all cases whatsoever, *and all such laws passed by the said Council and Assembly, and assented to by Her Majesty, or in Her Majesty's name by the Governor of Victoria, shall be valid and binding to all intents and purposes within Victoria, subject, nevertheless, as to bills so assented to by the Governor, to the provision for disallowance herein after described.*

Legislative Council constituted.

II. The Legislative Council of Victoria shall consist of thirty members, to be elected as herein-after provided, and for the purpose of returning such members the said colony shall be divided into six electoral provinces, the boundaries whereof for the purposes of this Act shall be taken to be those set forth in the schedule marked E., hereunto annexed, and each such province shall return an equal number of members.

Retirement of Members in rotation.

III. At the first election of the members of the said Council held after this Act shall have come into operation, each province shall return the number of members assigned thereto in the said schedule, and at the expiration of two years from the date of such first election, and thenceforward at the expiration of every succeeding period of two years, one of the members returned for each of the said electoral provinces respectively shall retire from the said Council, and those shall so retire who shall have been for the longest time members thereof without re-election: Provided that any member elected in the place of a member dying, resigning, or retiring, otherwise than by rotation, shall hold his seat only so long as the member in whose place he has been elected would have been entitled to have held the same: Provided further, that of members

VICTORIA.

elected for any province at the first election, as aforesaid, the member who may at his election have received the least number of votes shall first so retire, and in case of an equality of votes, or of no polling having taken place at such election, it shall be decided by lot which member shall so retire; provided also that any member so retiring shall, if otherwise qualified, be capable of being re-elected.

Qualification of members.

IV. No person shall be capable of being elected a member of the Legislative Council who shall not be of the full age of thirty years, and a natural-born subject of the Queen, and who shall not for one year previous to such election have been legally or equitably seised of or entitled to an estate of freehold in possession for his own use and benefit, in lands and tenements in the said colony of Victoria, of the value of five thousand pounds sterling money, or of the annual value of five hundred pounds sterling money above all charges and incumbrances affecting the same respectively: Provided that no judge of any Court of the said colony appointed during good behaviour, nor any minister of any religious denomination, whatever may be his title, rank, or designation, shall be capable of being elected a member of the Legislative Council: Provided further, that no person who shall have been attainted of any treason, or convicted of any felony or infamous offence within any part of Her Majesty's dominions, shall be capable of being elected a member of the Legislative Council.

Qualification of electors.

V. Every man of the age of twenty-one years, being a natural-born subject of Her Majesty, or being a naturalized subject or a legally made denizen of Victoria, (such naturalization or denization having made three years previous to the date of the last registration of electors made in pursuance of the provisions hereof,) and having resided in Victoria for any one year previous to such registration, who shall have a freehold estate in possession for his own use and benefit, in lands and tenements, situate within the electoral province for which his vote is to be given, of the clear value of one thousand pounds sterling money, or of the clear annual value of one hundred pounds sterling money above all charges and incumbrances affecting the same respectively, or shall have a leasehold estate in possession situated as aforesaid, held upon a lease whereby a rent of one hundred pounds or upwards shall be reserved, or of the clear annual value of one hundred pounds above all charges and outgoings, every such lease having been granted for a period of not less than five years, or who shall be resident within the electoral province for which his vote is to be given, and be a graduate of any university in the British dominions, or a barrister or solicitor on the roll of the Supreme Court of Victoria, or a legally qualified medical practitioner, or an officiating minister, or an officer or retired officer of Her Majesty's land or sea forces, except on actual service, shall, being duly registered, be entitled to vote at the election of a member or members of the Legislative Council: Provided that no person shall be entitled to be registered as such elector for any province in respect of any such estate, occupation, or qualification as aforesaid, unless he shall have been seised or possessed of, or occupied, or held the same respectively for the period of twelve calendar months at least previous to such registration as aforesaid: Provided also, that no person shall be entitled to be registered as aforesaid who shall have been attainted or convicted of treason, felony, or other infamous offence in any part of Her Majesty's dominions, unless he shall have received a free pardon or have undergone the sentence passed on him for such offence: Provided also, that no man shall be entitled to be registered in respect of any such estate or occupation as aforesaid, unless at the time of such registration of electors he shall have paid up all rates and taxes which shall have become payable by him as owner or leaseholder in respect of such estate, or as occupier in respect of such occupation, except such as shall have become payable during three calendar months next before such registration: Provided further, that no person who shall attain the age of twenty-one years after the expiration of two years from the passing hereof shall be entitled to be registered as aforesaid, unless he shall be able to read and write.

Election of President.

VI. The Legislative Council shall, at its first meeting, and before proceeding to the despatch of any other business, elect one member of the said Council to be the president thereof, and as often as the place of the said president shall

become vacant by death, resignation, or removal by a vote of the Council, or by disallowance, as herein-after mentioned, or otherwise, shall forthwith proceed to elect some other member to be the president thereof, and the president so elected shall preside at the meetings of the Council: Provided, that it shall be lawful for the Governor to disallow the choice of any such president, and upon such disallowance being signified by the Governor to the Council the place of such president shall become vacant.

Declaration by members.

VII. Every member of the Legislative Council before he shall sit or vote in the Council, after the election of a president, shall make and subscribe a declaration in writing under his hand, and deliver the same to the clerk of the Council at the place where and while the Council is sitting, with the president in the chair, which declaration shall be in the form set forth in the schedule hereunto annexed marked A. And the said declaration shall be filed and kept by the clerk with the other records of the office, and every member who shall sit or vote in the Council, after the election of a president, before making such declaration as aforesaid, shall be liable for every day on which he shall so offend to pay the sum of two hundred pounds, to be recovered by any person who shall sue for the same in any Court of competent jurisdiction.

Resignation of members.

VIII. It shall be lawful for any member to resign his seat in the Legislative Council by a letter addressed to the Governor, and from the time when the same shall have been received by the Governor, the seat of such member shall become vacant.

Quorum of Legislative Council.

IX. The Legislative Council shall not be competent to the despatch of business unless there be present, exclusive of the president, one third at least of the members of the said Council, or if the whole number of members thereof shall not be exactly divisible by three, then such integral number as is next greater than one third of the members of the said Council, and all questions, save as herein excepted, which shall arise in the Council, shall be decided by a majority of the members present, other than the president, and when the votes shall be equal the president shall have the casting vote.

Legislative Assembly, how constituted.

X. The Legislative Assembly of Victoria shall consist of sixty members, to be elected as herein-after provided, and for the purpose of returning such members the said colony shall be divided into thirty-seven electoral districts, the boundaries whereof shall for the purposes of this Act be those set forth in the schedule hereunto annexed, marked F., each of which districts shall return the number of members assigned thereto in the said schedule.

Qualification of members.

XI. No person shall be capable of being elected a member of the Assembly who shall not be of the full age of twenty-one years, or who shall not be a natural-born subject of the Queen, or have been naturalized by law for the space of five years, and been resident in Victoria for the space of two years previous to such election, and who shall not be legally or equitably seised of or entitled to an estate of freehold in possession for his own use and benefit in lands and tenements in Victoria of the value of two thousand pounds sterling money, or of the annual value of two hundred pounds sterling money above all charges and incumbrances affecting the same: Provided, that no person shall be capable of being elected a member to serve in the Assembly, who shall be a judge of any Court of the said colony apoointed during good behaviour, or a minister of any religious denomination, whatever may be his title, rank, or designation; provided further, that no person who shall have been attainted of any treason, or convicted of any felony or infamous crime in any part of Her Majesty's dominions, shall be capable of being elected a Member of the said Assembly.

Qualification of electors.

XII. Every man of the age of twenty-one years, being a natural born subject of Her Majesty, or being a naturalized subject or a legally made denizan of Victoria, and having resided in the said colony for any one year previous to the date of the last registration of electors, who shall have a freehold estate in possession, situate within the electoral district for which his vote is to be given, of the clear value of fifty pounds sterling money, or of the clear annual value of five pounds sterling money above all charges and incumbrances in any way affecting the same, or shall have a leasehold estate in possession, situate as aforesaid, of the annual value of ten pounds sterling money above all charges and incumbrances affecting the same, or shall be a householder within such district occupying any

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house, warehouse, counting-house, office, shop, or other building or premises of the clear annual value of ten pounds sterling money, or shall, in consideration of any payment to the public revenue, be entitled under any law now or hereafter to be in force to occupy for the space of twelve months or upwards any portion of the waste lands of the Crown situate as aforesaid, or shall, being resident within the electoral district for which his vote is to be given, be in receipt of an annual salary of one hundred pounds sterling money, shall, being duly registered, be entitled to vote at the election of a member or members of the Legislative Assembly: Provided, that no person shall be entitled to be registered as an elector upon the electoral roll of any electoral district, unless he shall have been seised or possessed of or occupied, used, enjoyed, held, or been in receipt of the qualifications in respect whereof he shall claim to be registered for the period of six calendar months at least previous to such registration: Provided also, that no person shall be entitled to be registered as aforesaid who shall have been attained or convicted of treason, felony, or other infamous offence in any part of Her Majesty's dominions, unless he shall have received a free pardon, or undergone the sentence passed on him for such offence: Provided further, that no man shall be entitled to be registered as aforesaid in respect of such estate or occupation, unless at the time of such registration he shall have paid up all rates and taxes which shall have become payable by him as owner or leaseholder in respect of such estate, or as occupier in respect of such occupation, except such as shall have become payable during three calendar months next before such registration: Provided lastly, that no person who shall attain the age of twenty-one years, after the expiration of two years from the passing hereof, shall be entitled to be registered unless he shall be able to read and write.

Joint interests.

XIII. Where any premises are jointly owned or occupied, or held upon lease by more perons than one, each of such joint owners, occupiers, or leaseholders shall be entitled to be registered as an elector, and to vote at the election of members to serve in the Council or Assembly, as the case may be, provided the value of his individual share or interest in the said premises would under the provisions of this Act entitle such owner, occupier, or leaseholder to be registered as such elector, and to vote as aforesaid.

Provision as to Trustees and Mortgagees.

XIV. No person shall be allowed to have any vote in the election of a Member of the Council or Assembly for or by reason of any trust, estate, or mortgage, unless such trustee or mortgagee be in actual possession or receipt of the rents and profits of the same estate, but the mortgagor or cestuique trust in possession shall and may vote for the same estate, notwithstanding such mortgage or trust.

What to be a charge or incumbrance.

XV. No public tax, rate, or charge shall be deemed to be any charge or incumbrance on lands within the meaning of this Act.

Members of Council incapable of being members of Assembly, and vice versâ.

XVI. No person, being a member of the Council shall be capable of being elected, or of sitting or voting as a member of the Assembly, nor shall any person being a member of the said Assembly be capable of being elected, or of sitting or voting as a member of the said Council.

Persons becoming incapable.

XVII. If any member of the Legislative Council or the Legislative Assembly shall accept any office of profit under the Crown during pleasure, his seat shall thereupon become vacant, but such person shall, if otherwise duly qualified, be capable of being re-elected.

Who are to be responsible officers.

XVIII. Of the following officers of Government for the time being, that is to say, the Colonial Secretary, or Chief Secretary, Attorney General, Colonial Treasurer, or Treasurer Commissioner of Public Works, Collector of Customs, or Commisioner of Trade, and Customs Surveyor General, or Commissioner of Crown Lands and Survey, and Solicitor General, or the persons for the time being holding those offices, four at least shall be members of the Council or Assembly.

Duration of Assembly.

XIX. Every Assembly hereafter to be summoned and chosen shall continue for five years from the day of the return of the Writs for choosing the same, and no longer, subject nevertheless to be sooner dissolved by the Governor.

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XX. The Legislative Assembly of Victoria shall, at its first meeting, after every general election, and before proceeding to the despatch of any other business, elect a member of such Assembly to be Speaker, and in case of his death, resignation, or removal by a vote of the Assembly, shall forthwith proceed to elect some other member to be Speaker, and the Speaker so elected shall preside at the meetings of the Assembly, except as may be provided by the standing rules and orders hereby authorized to be made.

Election of Speaker.

XXI. The Legislative Assembly shall not be competent to the despatch of business, unless there be present, exclusive of the Speaker, twenty members thereof. And all questions, save as herein excepted, which shall arise in the Assembly, shall be decided by the majority of members present, other than the Speaker, and when the votes shall be equal, the Speaker shall have the casting vote.

Quorum of Assembly.

XXII. No omission or failure to elect a member or members in or for any electoral province or district, nor the vacating the seat, or avoiding the election of any such member or members, shall be deemed or taken to make either the Legislative Council or the Legislative Assembly, as the case may be, incomplete, or to invalidate any proceedings thereof, or to prevent such Council or Assembly from meeting and despatching business so long as there shall be a quorum of members present.

Quorum of houses may act, though election may have failed.

XXIII. It shall be lawful for any member to resign his seat in the Legislative Assembly by writing under his hand, addressed to the Speaker, and from the time when the same shall have been received by the Speaker, the seat of such member shall become vacant.

Resignation of members.

XXIV. If any member of the Legislative Council or Legislative Assembly shall, for one entire session thereof, without the permission of the said Council or Assembly, as the case may be, fail to give his attendance in such Council or Assembly, or shall take any oath, or make any declaration or acknowledgment of allegiance, obedience, or adherence to any foreign prince or power, or adopt any act whereby he may become a subject or citizen of any foreign state or power, or shall become bankrupt or an insolvent debtor, within the meaning of the laws in force within Victoria relating to bankrupts or insolvent debtors, or shall become a public defaulter, or be attainted of treason, or be convicted of felony or any infamous crime, or become *non compos mentis*, his seat in the said Council or Assembly, as the case may be, shall thereby become vacant.

Seat, how vacated.

XXV. Any person who shall directly or indirectly himself, or by any person whosoever in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy, in the whole or in part, any contract or agreement for or on account of the public service, shall be incapable of being elected, or of sitting or voting as a member of the Council or Assembly during the time he shall execute, hold, or enjoy any such contract, or any part or share thereof, or any benefit or emolument arising from the same: Provided that nothing herein contained shall extend to any contract or agreement made, entered into, or accepted by any company or association consisting of more than twelve persons, where such contract or agreement shall be made, entered into, or accepted for the general benefit of such company or association: Provided also, that if any member of the Council or Assembly shall enter into any such contract or agreement his seat shall be declared by the said Council or Assembly respectively to be and shall thereupon become void.

Public contractors incapable.

XXVI. If any person by this Act disabled or declared to be incapable to sit or vote in the Legislative Council or Legislative Assembly, be elected and returned as a member to serve in the said Council or Assembly, such election and return may be declared by the said Council or Assembly, as the case may be, to be void, and thereupon the same shall become void to all intents and purposes; and if any person so elected and returned contrary to the provisions of this Act shall sit or vote as member of the said Council or Assembly, he shall be liable to pay the sum of two hundred pounds, to be recovered by any person who shall sue for the same in any Court of the said colony having competent jurisdiction.

Effects of incapacity.

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Power for existing legislature to make provision for regulating elections, &c.

XXVII. The Legislature of Victoria in existence at the time of the proclamation of this Act, as herein-after mentioned, shall, by an Act or Acts to be for that purpose made and passed in the manner and subject to the conditions required in respect of any Act or Acts made or passed by such Legislature, make all necessary provision for the compilation and revision of lists of all persons qualified to vote at the elections of members to serve in the said Council and Assembly respectively, and for the registration of such persons, and for the appointing of returning officers at such elections, and for the issuing, executing, and returning the necessary writs for the same, and generally for declaring and filling up all vacancies in such Council and Assembly respectively, and for regulating the proceedings and taking the poll at all such elections, and for determining the validity of all disputed returns and elections, and otherwise for ensuring the orderly, effective, and impartial conduct of all such elections.

Convocation, prorogation, and dissolution.

XXVIII. It shall be lawful for the Governor to fix such places within Victoria, and, subject to the limitation herein contained, such times for holding the first and every other Session of the Council and Assembly, and to vary and alter the same respectively in such manner as he may think fit, and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly by proclamation or otherwise, whenever he shall deem it expedient, provided that nothing herein contained shall empower the Governor to dissolve the Council.

Sessions of Council and Assembly.

XXIX. There shall be a session of the Council and Assembly of Victoria once at least in every year, so that a period of twelve calendar months shall not intervene between the last sitting of the Council and Assembly in one session, and the first sitting of the Council and Assembly in the next session.

Time of first election.

XXX. The first writs for the election of members of the Council and Assembly respectively, shall issue at some period not later than twelve calendar months after the proclamation of this Act within Victoria.

Declaration by Members.

XXXI. Every member of the Legislative Assembly shall, after the election of the Speaker, before he shall sit or vote in such Assembly, make and describe a declaration in writing under his hand, and deliver the same to the clerk of the Assembly, at the place where and while the House is sitting, with the Speaker in the chair, which declaration shall be in the form set forth in the schedule hereunto annexed, marked B., and the said declaration shall be filed and kept by the clerk with the other records of the office, and every member who shall sit or vote in the said Assembly, after the election of a Speaker, before making such declaration as aforesaid, shall be liable, for every day on which he shall so offend, to a penalty of two hundred pounds.

Oath of allegiance.

XXXII. No member, either of the Council or of the Assembly, shall be permitted to sit or vote therein respectively until he shall have taken and subscribed before the Governor, or before some person authorized by the Governor in that behalf, the oath set forth in the schedule hereunto annexed, marked C. And every person authorized by law to make an affirmation instead of making an oath may make such affirmation in every case in which an oath is herein required to be taken.

False declaration.

XXXIII. If any member, either of the Council or Assembly, shall knowingly and wilfully make a false declaration respecting his qualification as aforesaid, such person shall be deemed to be guilty of a misdemeanor, and being thereof lawfully convicted, shall suffer the like pains and penalties as by law are incurred by persons guilty of wilful and corrupt perjury.

Standing rules and orders.

XXXIV. The Legislative Council and Legislative Assembly in the first session of each respectively, and from time to time afterwards, as there shall be occasion, shall prepare and adopt standing rules and orders for providing for the manner in which such Council and Assembly shall be presided over in case of the absence of the president or Speaker respectively, and for the mode in which such Council and Assembly shall communicate, and for the proper passing, intituling, and numbering of the bills to be introduced into and passed by the said Council and Assembly, and for the proper presentation of the same to the Governor for Her Majesty's assent, and for the consideration of all amendments proposed to be made by the Governor as herein mentioned,

and for the due publication of all proposed proceedings in such Council and Assembly, and generally for the conduct of all business and proceedings in the said Council and Assembly severally and collectively, all which rules and orders shall, by such Council and Assembly respectively, be laid before the Governor, and being by him approved shall become binding and of force; and until such standing rules and orders shall be adopted, resort shall be had to the rules, forms, and usages of the Imperial Parliament of Great Britain and Ireland, which shall be followed so far as the same may be applicable to the proceedings of the said Council and Assembly respectively: Provided that no standing rule or order which shall affect the communication between the said Council and Assembly, or the proceedings of the said Council and Assembly collectively, shall be of any force, unless the same shall have been adopted both by the said Council and Assembly.

Privileges of Legislature.

XXXV. It shall be lawful for the Legislature of Victoria by any Act or Acts to define the privileges, immunities, and powers to be held, enjoyed, and exercised by the Council and Assembly, and by the members thereof, respectively; provided that no such privileges, immunities, or powers shall exceed those now held, enjoyed, and exercised by the Commons House of Parliament, or the members thereof.

Governor's message.

XXXVI. It shall be lawful for the Governor to transmit by message to the Council Assembly for their consideration, any amendment which he shall desire to be made in any bill presented to him for Her Majesty's assent, and all such amendments shall be taken into consideration in such convenient manner as shall, by the rules and orders aforesaid, be in that behalf provided.

Assent of Her Majesty to bills.

XXXVII. Every bill which shall have been passed by the Council and Assembly, whether with or without amendments, as aforesaid, shall be presented for Her Majesty's assent to the Governor, and in the case of any bill, which, according to the provisions hereof, may be reserved for the signification of Her Majesty's pleasure, the Governor shall, subject to such instructions as may from time to time be given in that behalf by Her Majesty, Her Heirs or successors, declare, according to his discretion, that he assents to such bill in Her Majesty's name, or that he withholds Her Majesty's assent, or that he reserves such bill for the signification of Her Majesty's pleasure thereon, but in the case of all other bills which shall be presented for Her Majesty's assent to the Governor, he shall, according to his discretion, declare whether he assents in the name of Her Majesty to such bill or dissents therefrom.

What bills may be reserved.

XXXVIII. The following bills may, in the discretion of the Governor, be reserved for the signification of Her Majesty's pleasure, or having been assented to by the Governor in Her Majesty's name, may be afterwards disallowed by Her Majesty within the period herein specified; that is to say,—

1. *Bills relating to the allegiance of the inhabitants of the colony of Victoria to Her Majesty's Crown.*
2. *Bills relating to the naturalization of aliens.*
3. *Bills relating to treaties between the Crown and any foreign power.*
4. *Bills relating to political intercourse and communications between the colony of Victoria and any officer of a foreign power or dependency.*
5. *Bills relating to the employment, command, and discipline of Her Majesty's sea and land forces within the colony of Victoria, and whatever relates to the defence from foreign aggression, including the command of the municipal militia and marine.*
6. *Bills relating to the crime of high treason.*

And also,

7. *Bills relating to the law of divorce.*

Disallowance of bills assented to.

XXXIX. Whenever any such bill shall have been presented for Her Majesty's assent to the Governor, and shall by such Governor have been assented to in Her Majesty's name, the Governor shall by the first convenient opportunity transmit to one of Her Majesty's Principal Secretaries of State an authentic copy of such bill so assented to, and it shall be lawful, at any time within one year after such bill shall have been so received by the Secretary of State, for Her Majesty, by order in Council, to declare Her disallowance of such bill, and such disallowance being signified by the Governor to the Legislative Council and Legislative Assembly of the said colony by speech or

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message, or by proclamation in the "Government Gazette," shall make void and annul the same from and after the day of such signification.

Reserved bills when to be in force.

XL. No bill which shall be reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within Victoria until the Governor shall signify, either by speech or message to the Council and Assembly, or by proclamation published in the "Government Gazette," that such bill has been down before Her Majesty in Council, and that Her Majesty has been pleased to assent to the said bill, and no bill which shall be so reserved as aforesaid shall have any force or authority in Victoria unless Her Majesty's assent thereto shall have been so signified as aforesaid, within the space of one year from the day on which such bill shall have been presented for Her Majesty's assent to the Governor as aforesaid.

Entry of message or proclamation notifying disallowance of bills, or assent to reserved bills, to be made in Journals.

XLI. In either of the cases mentioned in the last two preceding clauses, an entry shall be made in the journals of the said Council and Assemby of every such speech, message, or proclamation, and a duplicate thereof duly attested shall be delivered to the registrar of the Supreme Court, or other proper officer, to be kept among the records of the said colony.

Questions as to right of reservation or disallowance.

XLII. Whenever any question shall arise as to the right of the Governor to reserve any bill for the signification of Her Majesty's pleasure thereon, or as to the right of Her Majesty to disallow any such bill, the same shall be determined by the Judicial Committee of the Privy Council, and in no other manner, except by the consent of the Council and Assembly of Victoria, and such question shall be stated in a joint address to Her Majesty in her Privy Council by the said Council and Assembly: Provided that all such bills shall be absolutely in abeyance pending any such determination, and that they shall afterwards, according to the decision of the Judicial Committee in each case, be submitted for the signification of Her Majesty's pleasure thereon, or remitted to Victoria for the exercise as aforesaid of the Governor's discretion.

Instructions to the Governor.

XLIII. It shall be lawful for Her Majesty, with the advice of her Privy Council or under Her Majesty's signet and sign manual, through one of her Principal Secretaries of State, from time to time to convey to the Governor such instructions as to Her Majesty shall seem meet for the guidance of such Governor in the exercise of the powers hereby vested in him, of assenting to, or dissenting from, or for reserving for the signification of Her Majesty's pleasure, bills to be passed by the said Legislative Council and Legislative Assembly, and so that such instructions do not in any way fetter the Governor's discretion in giving or refusing Her Majesty's assent to bills of mere local or municipal concernment.

Appointment to public offices.

XLIV. The appointment to public offices under the Government of Victoria, hereafter to become vacant, or to be created, whether such offices be salaried or not, shall be vested in the Governor, with the advice of the Executive Council, with the exception of the appointments of the officers liable to retire from office on political grounds, which appointments shall be vested in the Governor alone.

Commissions of Judges.

XLV. The commissions of the present judges of the Supreme Court, and all future judges thereof, shall be, continue, and remain in full force during their good behaviour, notwithstanding the demise of Her Majesty, or of Her heirs and successors, any law, usage, or practice to the contrary thereof in anywise notwithstanding: Provided always, that it may be lawful for the Governor to remove any such judge or judges upon the address of both Houses of the Legislature.

Salaries of Judges.

XLVI. Such salaries as are settled upon the judges for the time being by Act of Parliament or otherwise, and all such salaries as shall or may be in future granted by Her Majesty, Her heirs and successors, or otherwise, to any future judges of the said Supreme Court, shall in all time coming be paid and payable to every such judge for the time being so long as his patent or commission shall continue and remain in force.

Existing laws.

XLVII. All laws and statutes which, at the time of the passing of this Act shall be in force within Victoria, shall remain and continue to be of the same force, authority, and effect, as if this Act had not been made, except in so far as the same are repealed or varied by this Act, or in so far as the same shall

or may hereafter, by virtue and under the authority of this Act, be repealed or varied by any Act or Acts of the Legislature of Victoria.

Existing Cour and Offices.

XLVIII. All the courts of civil and criminal jurisdiction within Victoria, and all charters, legal commissions, powers, and authorities, and all offices, judicial, administrative, or ministerial therein respectively, except in so far as the same may be abolished, altered, or varied by, or may be inconsistent with, the provisions of this Act, or shall be abolished, altered, or varied by any Act or Acts of the Legislature, shall continue to subsist in the same form and with the same effect as if this Act had not been made.

Certain duties may not be levied.

XLIX. It shall not be lawful for the Legislature of Victoria to levy any duty on articles imported bonâ fide for the supply of Her Majesty's land or sea forces, nor to levy any duty, impose any prohibition or restriction, or grant any exemption, bounty, drawback, or other privilege upon the importation or exportation of any articles, nor to impose or enforce any dues or charges upon shipping contrary to or at variance with any treaty or treaties concluded by Her Majesty with any foreign power.

Power to levy duties on customs.

L. Subject to the provisions of this Act, and notwithstanding any Act of Parliament now in force to the contrary, it shall be lawful for the Legislature to impose and levy such duties of customs as to them may seem fit on the exportation from or importation into Victoria of any goods, wares, and merchandise whatsover, whether the produce of or imported from the United Kingdom, or any of the colonies or dependencies of the United Kingdom, or any foreign country: Provided always, that no new duty shall be so imposed upon the importation into Victoria of any article, the produce or manufacture of or imported from any particular country or place, which shall not be equally imposed on the importation into Victoria of the like article, the produce or manufacture of or imported from all other countries and places whatsoever.

Proviso.

Boundaries of colony, how to be altered.

LI. In case at any time hereafter the Legislative Houses of the said colony of Victoria, of the colony of New South Wales, of the colony of Van Diemen's Land, or of the colony of South Australia, shall petition Her Majesty to alter the boundaries of the said colonies, or any of them, so as to transfer to any of such colonies a portion of the territories comprised in the other of them, it shall be lawful for Her Majesty, by any order to be made with the advice of Her Privy Council, to alter the boundaries in pursuance of the prayer of any such petition, or in such other manner as Her Majesty with such advice shall think fit: Provided that no alteration shall take place in the boundaries of any such colony, unless the assent of the colony losing any portion of its territory by such alteration shall be expressed in some legislative provision of such colony.

Consolidated revenues.

LII. All taxes, imposts, rates, and duties, and all territorial, casual, and other revenues of the Crown, (including royalties,) from whatever source arising within the colony of Victoria, or over which the present or any future Legislature has or may have power of appropriation, shall form one consolidated revenue to be appropriated for the public service of the colony of Victoria, in the manner and subject to the charges herein-after mentioned.

Charges of collection and management.

LIII. The consolidated revenue of Victoria shall be permanently charged with all the costs, charges, and expenses incident to the collection, management, and receipt thereof, such costs, charges, and expenses being subject nevertheless to be reviewed and audited in such manner as shall be directed by any Act of the Legislature.

Civil list.

LIV. There shall be payable in every year to Her Majesty, Her heirs and successors, out of the consolidated revenue of Victoria, the several sums not exceeding in the whole one hundred and twelve thousand seven hundred and fifty pounds, for defraying the expense of the several services and purposes named in the first, second, third, fourth, fifth, sixth, seventh, and eighth parts of the schedule to this Act annexed, marked D., and the said sums shall be issued by the Treasury of Victoria in discharge of such warrants as shall be from time to time directed to him under the hand of the Governor, and the said Treasurer shall account to Her Majesty for the same, through the Lords Commissioners of Her Majesty's Treasury, in such manner and form as Her Majesty shall be graciously pleased to direct. And accounts in detail of the expenditure of the several sums expended under the authority of this Act shall be laid before the Legislative Houses of Victoria within thirty days from the beginning of the Session next after the termination of the year in which such expenditure shall have been made.

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Civil list to be in lieu of Crown revenues.

LV. The said several sums mentioned in the first, second, third, fourth, fifth, sixth, seventh, and eighth parts of the said Schedule D., shall be accepted and taken by Her Majesty, her heirs and successors, by way of civil list, instead of all territorial, casual, and other revenues of the Crown (including all royalties), from whatever source arising within Victoria, and to the disposal of which the Crown may be entitled either absolutely or conditionally, or otherwise howsoever.

Governor may abolish certain offices.

LVI. It shall be lawful for the Governor to abolish any of the offices named in the third and fourth parts of the said Schedule, or to apply the sums thereby appropriated to such other purposes connected with the administration of the Government of Victoria as to Her Majesty, her heirs and successors, shall seem fit.

Pensions to judges.

LVII. Not more than four thousand pounds shall be payable at the same time for pensions to the judges of the Supreme Court out of the sums set apart for such pensions in the fifth part of the said Schedule: Provided that all such pensions shall be granted in accordance with regulations to be framed by the Governor and Executive Council, so that the same shall, as far as may be, accord with the Act of the Imperial Parliament, regulating the pensions of the judges of the United Kingdom.

Pensions to present incumbents of office.

LVIII. Not more than five thousand two hundred and fifty pounds shall be payable in the whole by way of pension or retiring allowance to the persons holding any of the offices mentioned in the sixth part of the said Schedule D. at the time of this Act coming into operation, who on political grounds may retire or be released from any such office, or whose office may be abolished after the time aforesaid, and upon the retirement or release from office of any of such persons mentioned in the said sixth part, or the abolition of any such office, he shall be entitled, by way of pension, or retiring allowance, to three.fourths of the salary granted to him in accordance with the Appropriation Act for the service of the year one thousand eight hundred and fifty-three, if he shall have held any office for ten years and upwards, and two thirds of such salaries if he shall have held office for a less period: Provided that if after the assignment of any such pension or retiring allowance, any such officer shall accept any new appointment under the Crown within Victoria or elsewhere; his pension or retiring allowance shall, during the tenure of such appointment, merge or be reduced pro tanto, according as the salary or emoluments of any such new appointment are in amount equal to or less than the pension or retiring allowance of such officer.

Proviso.

Pensions to responsible officers.

LIX. Not more than four thousand pounds shall be payable in the whole, by way of pensions or retiring allowance to the persons who may, after the time this Act shall come into operation, accept any of the offices mentioned in the said Schedule D., Part three, and who on political grounds may retire or be released from any such office; provided that no person shall be entitled to receive any pension or retiring allowance both under this and the preceding clause, provided that the amount of all such pensions and retiring allowances shall be granted in accordance with regulations to be framed by the Governor and Executive Council, so that the same shall, so far as may be, accord with the provisions of the Act of the Parliament of Great Britain and Ireland, passed in the session of the fourth and fifth years of the Reign of His late Majesty King William the Fourth, intituled "An Act to alter, amend, and consolidate the "Laws for regulating the Pensions, Compensations, and Allowances to be made "to Persons in respect to their having held Civil Offices in His Majesty's "Service;" Provided also, that if after the assignment of any such pension or retiring allowance to any person, he shall accept any new appointment under the Crown either in Victoria or elsewhe, the pension or retiring allowance of such officer shall, during the tenure of such appointment, merge or be reduced pro tanto, according as the salary or emolument of any such new appointment is in amount equal to or less than the pension or retiring allowance of such officer: Provided further, that if any such officer shall be absent from the colony for more than two years, unless he shall be of the full age of sixty years, his pension shall cease and determine: Provided lastly, that the amount accumulating from any unexpended or unappropriated parts of the said sums mentioned in the fifth and seventh parts of the said Schedule D., shall in no case exceed the sum of ten thousand pounds on each, and that any balance above that

amount on either of the said fifth or seventh parts shall revert to the consolidated revenue of Victoria.

List of Pensions, &c.

LX. a list of all pensions granted under this Act, and of the persons to whom the same shall have been granted, shall be laid in every year before both Legislative Houses of the said colony.

Money for purposes of religion.

LXI. For the advancement of the Christian religion in Victoria, the sum of fifty thousand thousand pounds shall be reserved on the eighth part of the said Schedule to promote the erection of buildings for public worship, and the maintenance of ministers of religion, and such sum shall be apportioned to each denomination according to the relative proportion of the members of such denomination by the last census, every such appointment to be made under regulations to be framed by the Governor and Executive Council, and submitted to both the Legislative Houses, provided that no monies exceeding in the aggregate the sum of twenty-five thousand pounds shall be issued in any one year in aid of the stipends of the ministers of religion.

Waste lands of the Crown.

LXII. Subject to the provisions herein contained, it shall be lawful for the Legislature of Victoria to make laws for regulating the sale, letting, disposal, and occupation of the waste lands of the Crown within the said colony, and of all mines and minerals therein.

Power to appropriate consolidated revenue.

LXIII. After and subject to the payments to be made under the provisions herein-before contained, and to any pensions now payable and received, under the Act firstly herein-before recited, and the Schedule thereunto annexed, marked B., all the consolidated revenue arising from taxes, duties, rates, and imposts levied by virtue of any Act of the Legislature, and from the disposal of the waste lands of the Crown under any such Act, made in pursuance of the authority herein contained, shall be subject to be appropriated to such specific purposes as by any Act of the said Legislature shall be provided in that behalf: Provided that the consolidation of the revenues shall not affect the payment of the annual interest or the principal sums mentioned in any outstanding debentures, or other charge upon the territorial revenue, as such interest, principal, or other charge severally becomes due, nor shall such consolidation affect the payment of any sums heretofore charged upon the taxes, duties, rates, and imposts now raised, levied, and collected, or to be raised, levied, and collected to and for the use of the colony, for such time as shall have been appointed by any Acts of the Legislature, by which any such charge was authorized.

Proviso.

Appropriation bills.

LXIV. All bills for appropriating any part of the revenue of Victoria, and for imposing any duty, rate, tax, rent, return, or impost, shall originate in the Assembly, and may be rejected but not altered by the Council.

Appropriation to be in pursuance of message.

LXV. It shall not be lawful for the Legislative Assembly to originate or pass any vote, resolution, or bill, for the appropriation of any part of the said Consolidated Revenue Fund, or of any other duty, rate, tax, rent, return, or impost, for any purpose which shall not have been first recommended by a message of the Governor to the Legislative Assembly during the session in which such vote, resolution, or bill, shall be passed.

Warrants for issue of money.

LXVI. No part of Her Majesty's revenues in Victoria arising from any of the sources aforesaid shall be issued, or shall be made issuable, except in pursuance of warrants under the hand of the Governor, directed to the public treasurer thereof.

Proclamation of this Act.

LXVII. This Act shall be proclaimed in Victoria within three months after official information of the royal assent thereto shall have been received by the Governor thereof, and save as herein expressly provided, shall take effect in Victoria from the day of such proclamation.

Power for Legislature to alter this Act.

LXVIII. The Legislature of Victoria, as constituted by this Act, shall have full power and authority from time to time, by any Act or Acts, to repeal, alter, or vary all or any of the provisions of this Act, and to substitute others in lieu thereof; provided that it shall not be lawful to present to the Governor of the said colony for Her Majesty's assent any bill by which an alteration in the constitution of the said Legislative Council, or Legislative Assembly, or in the said Schedule hereunto annexed, marked D., may be made, unless the second and third readings of such bill shall have been passed with the concurrence of an absolute majority of the whole number of the members of the Legislative Council and of the Legislative Assembly respectively; provided also that every

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bill which shall be so passed shall be reserved for the signification of Her Majesty's pleasure thereon.

Power to alter Electoral Act.

LXIX. Notwithstanding anything herein contained, it shall be lawful for the said Legislature from time to time, by any Act or Acts, to alter the qualifications of electors and members of the Legislative Council and Legislative Assembly respectively, and to establish new electoral provinces or districts, and from time to time to vary or alter any electoral province or district, and to appoint, alter, or increase the number of members of the Legislative Houses to be chosen by any electoral province or district, and to increaee the whole numbers of members of the said Legislative Houses, and to alter and regulate the appointment of returning officers, and to make provision in such manner as they may deem expedient for the issue and return of writs for the election of members to serve in the said Legislative Houses respectively, and the time, place, and manner of holding such elections respectively.

Interpretation clause.

LXX. In the construction of the provisions of this Act the term "Governor" shall mean the person from the time being lawfully administering the government of the colony of Victoria; the word "Victoria" shall mean the colony of Victoria; the words "officiating minister" shall be taken to mean any minister of religion authorized according to the forms and usages of any church, religious society, or denomination, to officiate and officiating in any building registered according to the law now in force in the said colony as a place of public worship; the word "occupy" shall include the occupation of or mining in any lands, or the right, power, or authority to enter on any lands for the purpose of mining therein; the word "Council" shall mean the Legislative Council of the said colony of Victoria; and the word "Assembly" shall mean the Legislative Assembly of the said colony.

This Act not to be in force until the repeal of the Acts herein mentioned.

LXXI. The foregoing provisions of this Act shall have no force or effect until so much and such parts of the Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the ninth year of the reign of His Majesty King George the Fourth, intituled "An Act to provide "for the Administration of Justice in New South Wales and Van Diemen's "Land, and for the more effectual Government thereof, and for other "Purposes relating thereto:" and of another Act passed in the fifth and sixth years of the reign of Her present Majesty, intituled "An Act for regulating "the Sale of Waste Land belonging to the Crown in the Australian "Colonies:" and of another Act passed in the fifth and sixth years of the reign of Her present Majesty, intituled "An Act for the Government of New South "Wales and Van Diemen's Land:" and of another Act passed in the seventh and eighth years of the reign of Her present Majesty, intituled "An Act to "clear up Doubts as to the Regulation and Audit of the Accounts of the "Customs in New South Wales:" and of another Act passed in the same years, intituled "An Act to explain and amend the Act for the Government of "New South Wales and Van Diemen's Land:" and of another Act passed in the ninth and tenth years of the reign of Her present Majesty, intituled "An "Act to amend an Act for Regulating the Sale of Wastes Land belonging to "the Crown in the Australian Colonies, and to make further Provision for the "Management thereof:" and of another Act passed in the thirteenth and fourteenth years of the reign of Her present Majesty, intituled "An Act for "the better Government of Her Majesty's Australian Colonies," and the first, second, and third parts of the Schedule B. therein referred to, as severally relate to the colony of Victoria, and are repugnant to this Act, shall have been repealed, and the entire management and control of the waste lands belonging to the Crown in the said colony, and of the proceeds thereof, including all royalties, mines, and minerals, shall be vested in the Legislature of the said Colony; provided that so much of the said last-mentioned Act as relates to the constitution, appointment, and powers of the Legislative Council of the said colony of Victoria shall continue in force until the first writs shall have issued for the election of members to serve in the Legislative Council and House of Assembly, in pursuance to the provisions hereof, but not longer: provided that nothing herein contained shall prevent or be construed to prevent the fulfilment of any contract, promise, or engagement made by or on behalf of Her Majesty with respect to any lands situate within the said colony, in any cases where such contract, promise, or engagement shall have been lawfully made before the time at which this Act shall take effect within the said colony.

9 Geo. IV., cap. 83.

5 & 6 Vict. cap. 36.

5 & 6 Vict. cap. 76.

7 & 8 Vict. cap. 72.

7 & 8 Vict. cap. 74.

9 & 10 Vict. cap. 104.

13 & 14 Vict. cap. 59.

SCHEDULES REFERRED TO IN THE FOREGOING ACT.

SCHEDULE A.

I, do declare and testify that I am duly seised at law, or in equity, of an estate of freehold for my own use and benefit, in lands or tenements, in the colony of Victoria, of the value of pounds sterling money, above all charges and incumbrances affecting the same; and further, that the lands or tenements out of which such qualification arises are situate in the parish of in the county of or reputed county of the description of which lands and tenements are as follow:—

And I further declare, that I have not collusively or colourably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a member of the Legislative Council of the colony of Victoria.

SCHEDULE B.

I, A. B., do declare and testify that I am duly seised at law, or in equity, of an estate of freehold for my own use and benefit, in lands or tenements in the colony of Victoria, of the value of pounds, sterling money, above all charges and incumbrances affecting the same; and further, that the lands or tenements out of which such qualification arises are situate in the parish of , in the county or reputed county of , the descriptions of which lands and tenements are as follow:—

And I further declare, that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a member of the Legislative Assembly of the colony of Victoria.

SCHEDULE C.

I do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this colony of Victoria. So help me GOD.

SCHEDULE D.

	£	
Part 1.		
Governor's Salary	10,000	
Salaries of Staff, Repairs to Government House, Travelling and other expenses	5,000	
		£15,000
Part 2.		
Chief Justice	3,000	
Three Puisne Judges, at 2,500*l.* each	7,500	
Master in Equity	1,500	
		£12,000
Part 3.		
Colonial Secretary or Chief Secretary	2,500	
Attorney General, Treasurer, Commissioner of Public Works, Collector of Customs, or Commissioner of Trade and Customs, Surveyor General, or Commissioner of Crown Lands and Survey, 2,000*l.* each	10,000	
Solicitor General	1,500	
		£14,000
Part 4.		
Clerk and Expenses of the Executive Council	1,500	
Clerk and Expenses of the Legislative Council	5,000	
Auditor General	2,000	
		£8,500
Part 5.		
Pensions to Officers appointed during good behaviour		£4,000
Part 6.		
Compensation to the present Incumbents who may retire or be released on political grounds from any of the following offices, or whose offices may be abolished:— The Colonial Secretary, The Attorney General, The Colonial Treasurer, The Collector of Customs, The Solicitor General, The Surveyor General,		£5,250

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PART 7.

Pensions to persons who may accept responsible offices and retire, or be released therefrom on political grounds - - - -	£4,000

PART 8.

Public Worship - - - - - - - -	£50,000
Total - - - - - -	£112,750

SCHEDULE E.

Boundaries of the Electoral Provinces of the Legislative Council.

1. CENTRAL PROVINCE.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

Commencing at a point on the coast of Port Phillip Bay, which is the south-eastern corner of portion A. in Section No. 3, parish of Cut-paw-paw; bounded on the west by the section line bearing due north as far as the north-eastern corner of section of No. 16; thence by a road also bearing north to the north-west corner of portion 4 in section No. 21; on the north by a road running east from last-mentioned point to the Saltwater River; thence by a continuation of said road to the south-west corner of portion 9 in section No. 5, in the parish of Doutta Galla; thence by the sectional line bearing due east, crossing the Moonee Ponds, the main road to Sydney, and the Merri Creek, which sectional line forms the southern boundaries of portions 91, 90, and 89, in the parish of Jika Jika, as far as the south-east corner of portion 89 aforesaid; on the east by the sectional line bearing south from the said point in portion 89 to the south-western corner of portion 113, where it strikes the river Yarra Yarra; again on the north by the said river Yarra Yarra, to the north-western corner of portion 59, in the parish of Boroondara; thence on the east by the western boundary of the said portion 59, till it strikes the road running due south to the Yarra Yarra river; thence by the said road to the Yarra Yarra river; by the course of the said river to the north-eastern corner of portion No. 18, in the parish of Prahran; thence again on the east by a road bearing due south from the last-mentioned point to the south-eastern corner of portion No. 32, east of Elsternwick; on the south by a road bearing west from the last-mentioned point till it strikes the sea-coast; thence by the line of sea-coast crossing the mouth of the said Yarra Yarra river to the point of commencement - - - - - - - - Five.

2. SOUTH PROVINCE.

Including part of the County Bourke and the Counties Evelyn and Mornington.

PART OF BOURKE:—Bounded on the south-west and west by the Werribee river to its source in the great dividing range; on the north by the great dividing range from the source of the Werribee river to that of the Plenty river; on the east by the Plenty river from its source to its confluence with the Yarra Yarra, thence by the Yarra Yarra river upwards to the confluence of the Deep Creek, thence by the Deep Creek upwards to the point where the main stream commences to run in a north-easterly direction; thence by a line south two miles fifty-eight chains from the aforesaid bend to Dandenong Creek, thence by that creek downward to the Currum Swamp; on the south by the Currum Swamp, and Mordialloc Creek to its embouchure at the long beach below Ben Ben Gin, and on the remainder of the south by the shores of Port Phillip Bay to the mouth of the Werribee river aforesaid; excluding the country comprised within the boundaries of the Central Province.

EVELYN:—Bounded on the west by part of the eastern boundary of the county of Bourke, namely, first by the river Plenty from its source to the river Yarra Yarra, thence by the river Yarra upwards to the confluence of the Deep Creek, thence by that creek upwards to the range between the Yarra Yarra and the Dandenong Creek; on the south-east and north by the range forming the basin of the river Yarra Yarra.

MORNINGTON;—Bounded on the north by part of the southern boundary of the county of Evelyn, being the dividing range from the source of the Buneep Buneep river, to the head of the Deep Creek, thence by that creek to the point where the main stream commences to run in a north-west direction; on the west by a line south two miles fifty-eight chains from the aforesaid bend to Dandenong Creek, thence by that Creek downwards to the Carrum Swamp, by that swamp and the Mordialloc Creek to its embouchure at the

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

long beach below Ben Ben Gin, thence by the shores of Port Phillip Bay to Point Nepean; on the south-west and south, by the sea coast from Point Nepean to Cape Patterson; and on the east by a line north from Cape Patterson to the Warringrin Range, thence along the said range in a northerly direction to the north of the Buneep Buneep river, and by that river to its source in the dividing range, including French and Phillip Island, and the small islands in Western Port Bay - - - Five.

3. South Western Province,

Including the Counties of Grant, Grenville, and Polwarth.

Grant:—Bounded on the east by the western boundary of the county of Bourke, being the Werribee river from its mouth to its source in the great dividing range; on the north by the great dividing range, extending from the source of the Werribee river to that of the Yarowee river; on the west and south-west by the Yarowee river to its confluence with the Barwon river; thence by the Barwon river upwards to a creek in H. Hopkins' purchased land, by this creek upwards and a line bearing south-east across the dividing range to the head of the Salt Creek, two miles forty-eight chains, thence by the Salt Creek to the sea coast north of Point Roadknight; on the south by the sea coast, and on the remainder of the east by the waters of Port Phillip to the mouth of the Werribee river, including the small islands near the channels at the mouth of Port Phillip and those of Geelong Bay.

Grenville:—Bounded on the west by the eastern boundary of the county of Hampden, namely, a line southerly from Emu Creek to Gnarkeet Ponds, thence by the Gnarkeet Ponds to Lake Korangamite, thence by the western shore of that lake to a point east of Lake Pormbeet; on the south by part of the northern boundary of the county of Heytesbury and the northern boundary of the county of Polwarth, namely, the southern shore of Lake Korangamite, thence an east line from Lake Korangamite to the north end of Lake Colac, thence by the north shore of Lake Colac to the point due west from the source of Birregurra Creek; and from that point by a line east to the source of Birregurra Creek, thence by that Creek downwards to its confluence with the Barwon; on the east by the river Barwon to its confluence with the Yarrowee river, thence by the Yarrowee river up to its source in the great dividing range; and on the north by part of the great dividing range to the source of Burrambeet Creek, thence by that Creek and the southern shores of Lake Burrambeet, to the point where Bailie's Creek leaves the lake; by Bailie's Creek to its confluence with Emu Creek; thence by Emu Creek down to the point north of the source of Gnarkeet Ponds aforesaid.

Polwarth:—Bounded on the west by the eastern boundary of the county of Heytesbury, namely, the Gellibrand river upwards to its source; thence by the range to the head of the Pirron Yalloak Creek, by this creek to Lake Korangamite; on the north by the south-eastern shore of Lake Korangamite, and an east line from Lake Korangamite to the north end of Lake Colac; thence by the north shore of Lake Colac to the point due west from the source of the Birregurra Creek, from that point by a line east to the source of the Birregurra Creek; thence by the Birregurra Creek to its confluence with the river Barwon; thence following the source of the river Barwon to a creek in H. Hopkin's purchased land; on the north-east by this creek upwards, and a line across the dividing range to the head of the Salt Creek, bearing south-east two miles forty chains; thence by the Salt Creek to the sea coast north of Point Roadknight, and on the south-east and south by the sea coast to the mouth of the Gellibrand river - - - - - - - - - - Five.

4. Western Province,

Including the Counties of Ripon, Hampden, Heytesbury, Villiers, Normanby, Dundas and Follet

Ripon:—Bounded on the west by the Grampian Range (which divides the waters of the Wimmera and Glenelg rivers from those of the river Hopkins) to the rocky extremity near Mount Abrupt; on the south by a line easterly to the source of the first creek which joins the river Hopkins above Wiselaskie's Station on the western side, and by that creek to the river Hopkins, thence by a line east to lake Boloke, thence by the southern shores of lake Boloke to the mouth of the Prackmingerren creek, and by that creek upwards to a point where a great bend of the creek turns north-

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ward, thence by a line to a point in Emu creek about one mile below, and to the west of the confluence of Broken creek; on the south-east and east by Emu creek to the confluence with Bailie's creek, by Bailie's creek to lake Burrumbeet, the southern shores of lake Burrumbeet and Burrumbeet creek to its source in the great dividing range; and on the north by the great dividing range to the western boundary aforesaid.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

HAMPDEN:—Bounded on the west by the river Hopkins upwards, from the confluence of the Emu creek to the point opposite the mouth of the small creek above Wiselaskie's Station, dividing it from the county of Villiers; on the north by the southern boundary of the county of Ripon, being a line east from the confluence of the creek near Wiselaskie's Station already mentioned to lake Boloke, then by the southern shore of lake Boloke to the mouth of the Prackmingerrin creek, then by that creek upwards until it reaches a spot where it forms a great bend to the northward, from that point by a line in a south-easterly direction to Emu creek about one mile below, and westward of, the mouth of Broken creek, thence by Emu creek to the point north of the source of Gnarkeet ponds; then on the east by the west boundary of the county of Grenville, viz.:—1st, by a line southerly to the source of Gnarkeet ponds, then by Gnarkeet Ponds to lake Korangamite, and thence by the west shore of lake Korangamite to a point east of lake Pormbeet; and on the south by a direct line to the north end of lake Pormbeet, and from the north end of lake Pormbeet to the nearest part of Emu creek, and thence by Emu creek to its confluence with the river Hopkins.

HEYTESBURY:—Bounded on the north-west and north, by part of the eastern boundary of the county of Villiers and the southern boundary of the county of Hampden, being the Hopkins river from its estuary to the confluence of the Emu Creek, and a line easterly to the north end of Lake Burrumbeet, thence by a line east to Lake Korangamite, by the southern shore of that lake to the mouth of the Pirron Yalloak Creek; on the east and south-east by the Pirron Yalloak Creek to its source, thence by a range to the head of the Gellibrand river, by the Gellibrand river to the sea coast; and on the south-west and west by the sea coast to the estuary of the Hopkins river.

VILLIERS:—Bounded on the west by a line due south from the Grange Burn to the mouth of the Swamp Creek, thence by this creek upwards to its source by a line to the head of the western branch of the river Shaw, thence by the west branch of the river Shaw to the sea; on the south by the sea to the entrance of the river Hopkins; on the east by the said river Hopkins to the confluence of the creek above Wiselaskie's station, and by that creek to its source; on the north by a line westward from the source of the last-named creek to the rocky extremity of the Grampians near Mount Abrupt, thence by the principal range of the Grampians to Mount Sturgeon, and by a line south-westerly to the north-east corner of the County of Normanby at the Grange Burn, including all the islands at Port Fairy.

NORMANBY:—Bounded on the north by the Grange Burn and Wannon river, until the latter joins the Glenelg river; on the west by the Glenelg river until it reaches the sea; on the south by the sea shore to the mouth of the Shaw river; and on the east by the western branch of the Shaw river to its source; thence a line northerly to the source of the Swamp creek, by that creek to where it empties itself into the Mount Napier swamp; and thence by a line due north six miles fifteen chains to the Grange Burn, including the Lawrence and Lady Julia Percy's islands,

DUNDAS:—Bounded on the west and north by the Glenelg river upwards from the confluence of the Wannon to its source between the Victoria Range and Grampians, near Mount William; on the east by the Grampians to its rocky extremity near Mount Abrupt, thence to Mount Sturgeon and by a line crossing the Wannon river to the north-east corner of the County of Normanby, at the Grange Burn; and on the south by the Grange Burn and the Wannon river to its confluence with the Glenelg.

FOLLET:—Bounded on the west by the one hundred and forty-first meridian, being the line dividing the colony of Victoria from South Australia; on the south and east by the Glenelg river upwards to its confluence with Power's Creek, and on the north-east and north by Powers Creek to its source; thence a line westward to the head of Mosquito Creek, and by that creek to the boundary line - - - - - - Five

5. North-western Province.

ncluding the Counties of Talbot and Dalhousie, and the pastoral District of the Wimmera and of the Loddon, except the proposed County of Rodney.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

ALBOT :—Bounded on the north-west and north by the south-western branch of the Loddon River, from its source near Mount Cole to its confluence with the main stream; thence by the Loddon River upwards to the confluence of Mount Alexander Creek, by this creek to its source under Mount Alexander; thence by Mount Alexander range to the head of Myrtle Creek, and by this creek to its confluence with the Coliban river; on the east by the Coliban River upwards to its source, being part of the western boundary of the county of Dalhousie; and on the south by the great dividing range to the source of the south-western branch of the Loddon river near Mount Cole.

ALHOUSIE :—Bounded on the west by the river Coliban from its source in the great dividing range to its confluence with the Campaspe river, and by the Campaspe river down to the confluence of Mount Ida Creek; on the north by Mount Ida Creek to its source near Mount Ida, by the dividing range to the source of Sandy Creek, and by the Sandy Creek to Goulbourn river; on the east by the Goulbourn river upwards until it joins the Dabyminga Creek, and by that creeek to its source in the dividing range; and on the south by the great dividing range.

IMMERA :—Bounded on the east by a line from Mount Cole to the source of the Avoca river; thence by the Avoca river to Lake Bael Bael; thence by a line due north to the river Murray; on the north by the river Murray to the South Australian frontier; on the west by the South Australian frontier south to Mosquito Creek; on the south by Mosquito Creek to its head; thence by a line to the source of Power's Creek; by Power's Creek to its junction with the Glenelg river; by this river to its source between the Victoria range and the Grampians near Mount William; and by the dividing range easterly to Mount Cole.

ODDON :—Bounded on the south by part of the counties of Dalhousie, Talbot, and Ripon, from the Campaspe river to the source of the Avoca river; on the west by the Avocoa river to Lake Bael Bael, and thence by a line due north to the river Murray; on the north and north-east by the river Murray; and on the east by the Campaspe river to the point of commencement - - - - - - - - - Five.

6. Eastern Province.

ncluding the County of Anglesey, the proposed County of Rodney, and the Pastoral Districts of the Murray and Gipps' Land.

NGLESEY :—Bounded on the west by part of the eastern boundary of the county of Dalhousie, namely, from the river Goulbourn upwards from the confluence of Hughes's Oreek, to the confluence of the Dabyminga Creek, thence by the Dabyminga Creek, upwards to its source in the great dividing range; on the south by the great dividing range to the main source of the river Goulbourn; on the east by the range dividing the waters of the main source of the river Goulbourn and Big Rivers from those of the Rubicon and Snod-pon-dock Creek, northward to Mount Torbrick, thence by Jerusalem Creek to its confluence with the river Goulbourn, thence by the river Goulbourn downwards to the confluence with the Devil's river, thence by the Devil's river and its north-west arm to the dividing range between the last-named arm and Septimus Creek; and on the north by that range to the source of Hughes' Creek, thence by Hughes' Creek down to its confluence with the river Goulbourn.

RODNEY :—Commencing at the confluence of the rivers Campaspe and Coliban, thence by a line south-easterly to the M'Ivor or Patterson's Creek, above John Hunter Patterson's sheep station; thence by a line north-easterly to the confluence of Hughes Creek with the river Goulbourn, and by that river to the Murray; thence by the river Murray to its confluence with the river Campaspe, and by the river Campaspe upwards to the confluence of the rivers Campaspe and Coliban aforesaid.

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Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

MURRAY:—Bounded on the south and west by the Counties of Evelyn and Anglesey, and the river Goulbourn to its junction with the Murray; on the north and north-east by the river Murray; and on the south-east by the dividing range (Alps).

GIPPS' LAND:—Bounded on the south and east by the sea; on the north by a line running in a westerly direction from Cape Howe to the source of the nearest tributary of the Murray and the Australian Alps; again, on the west by the Alps and the Counties of Evelyn and Mornington - - Fiv

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SCHEDULE F.

LEGISLATIVE ASSEMBLY.

BOUNDARIES OF THE ELECTORAL DISTRICTS.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

1. ELECTORAL DISTRICT OF MELBOURNE.

Commencing at a point in the Yarra Yarra River due south from the south-western angle of Gisborne-street, thence to Gisborne-street, and by the western side of that street to Victoria parade, thence by the south side of Victoria-parade, to the western side of Nicholson Street, thence by the said western side of Nicholson-street northwards to the boundary line of the corporate limits of Melbourne, thence by the last-mentioned boundary line bearing west to the Moonee Ponds, by the said Moonee Ponds downwards to the side of Main's Bridge, thence by a line bearing south to the Yarra Yarra River, and on the south by the Yarra Yarra River to the commencing point - - - - - - - - - Fiv

2. ELECTORAL DISTRICT OF SAINT KILDA.

Bounded on the east by a road bearing north from the south-east angle of portion No. 32. east of Elsternwick, to the Yarra Yarra River; on the north by the Yarra Yarra River to Prince's Bridge; on the west by a road bearing south-west to the northern angle of section No. 46; thence by Fitz Roy-street, St. Kilda, to the sea coast; thence by the sea coast and a road bearing east, south of Elsternwick, to the commencing point - - - - Two.

3. ELECTORAL DISTRICT OF COLLINGWOOD.

Commencing at the junction of Nicholson-street and Victoria-parade, thence by the western side of Nicholson-street to the northern boundary of the corporate limits of Melbourne, thence on the north by the said boundary line bearing east to the Merri Merri Creek, thence by the Merri Merri Creek to its junction with the Yarra Yarra River, thence by the Yarra Yarra River to the south-east corner of section No. 63, parish of Jika Jika, thence by a line west to Victoria-street, and thence on the south by the northern side of Victoria-street and Victoria-parade to the commencing point - - Two.

4. ELECTORAL DISTRICT OF SOUTH MELBOURNE.

Bounded on the north by the Yarra Yarra River, from its junction with the Saltwater River to Princes' Bridge, on the east by the road bearing south-east to the northern angle of section No. 46, St. Kilda, thence by Fitz-Roy-street to the sea coast, thence by the sea coast to the Yarra Yarra River, and by the said river to its junction with the Saltwater River, being the commencing point - - - - - - One.

5. ELECTORAL DISTRICT OF RICHMOND.

Commencing at a point on the Yarra Yarra River due south from the south-eastern angle of Gisborne-street; bounded on the west by a line due north to the said angle; thence by the east side of Gisborne-street to Victoria-parade; thence by the southern sides of Victoria-parade and Victoria-street, and a prolongation of that line to the Yarra Yarra River; on the east and south by the Yarra Yarra River to the commencing point - - Two.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

6. Electoral District of Williamstown.

Commencing on the sea coast at the south-east angle of portion A. section 3, parish of Cut-paw-paw; bounded on the west by a line bearing north to the Stoney Creek; thence by the Stoney Creek to the River Yarra Yarra; by the River Yarra Yarra to the sea; thence by the sea coast to the commencing point - - - - - - - One.

7. Electoral District of Brighton.

Commencing on the sea coast at the south-west angle of section 25, parish of Moorabbin, thence by a line east to the south-east angle of section 55; on the east by a line bearing north, being the parish boundary from the said point to the north-east angle of section 63; on the north by the road bearing west to the sea coast, and on the west by the sea coast to the commencing point - - - - - - - One.

8. Electoral District of Geelong.

Bounded by a line drawn from the point on the eastern shores of Corio Bay, near Point Henry, at a distance of two miles from the north-east angle of the township of Geelong, as a centre, bearing southerly to a point bearing east from the said angle; thence by a line south, crossing a small portion of Corio Bay, parallel with and at a distance of two miles from the eastern boundary of the said township, to a point bearing east from the south-east angle of the said township of Geelong; thence by a line drawn westerly, at a distance of two miles from the southern boundary of the said township, crossing the Barwon River and the Wauru Chain of Ponds to a point two miles west of the south-west angle of the said township; thence by a line drawn at a distance of two miles from the north-west angle of the township, as a centre, to the western shore of Corio Bay, near Cowie's Creek; and also to include the remaining portion of the reserve at Point Henry, and the reserve at the junction of the Marrabool with the River Barwon - - - - - - - - Four.

9. Electoral District of Portland.

Commencing at a point on the beach bearing east 8 chains from the north angle of allotment No. 31 of Northern Suburbans, and bounded on the north by a line bearing west 65 chains; on the west by a line bearing south 233 chains 34 links; on the south by a line bearing east to the sea coast, and by the sea coast northerly to the point of commencement - Two.

10. Electoral District of Belfast.

Commencing at a point on the sea coast bearing south 7 degrees 30 minutes west, 16 chains 25 links from the south-west angle of section No. 15, township of Belfast, and bounded on the west by a line bearing north 62 chains; on the north by a line bearing east 45 chains 25 links; again on the west by a line bearing north 3 chains 75 links to the River Moyne, by that river to its mouth, and by the sea coast to the point of commencement; also that portion commencing at the south-west angle of section A, parish of Belfast, and bounded on the north-east by a line bearing north-west 15 chains to the Moyne Saltwater Lagoon, by that lagoon and the river Moyne to its mouth, and by the sea coast northerly to the last-mentioned point of commencement - - - - - - - - One.

11. Electoral District of Warrnambool.

Commencing at a point on the River Hopkins, being the south-western angle of section 1, parish of Wangoom, and bounded on the east by a line bearing north 20 chains; on the north by a line bearing west to the Merri River; on the west and south-west by the Merri River to its mouth; on the south by the sea coast of Warrnambool Bay, from the mouth of the said river to that of the River Hopkins, and thence to the point of commencement - - - - - - - - One.

12. Electoral District of Colac.

Commencing at the south-west angle of section 17, in the parish of Nalangil, bounded on the west by a line north to the north-west angle of section 17, in the parish of Warrion; on the north by a line east from the last-mentioned point to the north-east angle of section 9, in the parish of Irrewarra; on the east by a line south from that point to the south-east angle of section 2, in the parish of Elliminyt; and on the south by a line west from that angle to the point of commencement - - - - One.

13. Electoral District of Kilmore.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

Commencing at a point on the eastern branch of the Korkarruc Creek, two miles 55 chains south of its junction with the main stream, and bounded on the north by a line east from the said point to Dry Creek; on the east by the western branch of the Dry Creek to its source, thence by a line south to the boundary of the county of Bourke; on the south by the said boundary to the source of the eastern branch of the aforesaid Korkarruc Creek, and on the west by that eastern branch to the commencing point - - - - - - - - One.

14. Electoral District of the Kyneton Boroughs.

Kyneton, Carlsruhe, and part of Malmesbury:—Commencing at the south-east angle of section B 3, east of Carlsruhe, thence north 3 miles 40 chains, thence west 4 miles, thence north 3 miles, thence west 4 miles, thence north 2 miles, thence west 2 miles 55 chains to the River Coliban; by that river to the southern boundary of the parish of Lauriston; by that boundary to the River Campaspe, and thence to the south-western angle of section 2; and by the southern boundary of the parish of Carlsruhe to the point of commencement.

Woodend:—Commencing at the south-western angle of section 1 A, south of Carlsruhe, bounded on the north by the southern boundary of the said section and of sections B 2, B 3, to the south-eastern angle of the said section B 3, east of Carlsruhe; on the east by a line south to the northern boundary of section 72, parish of Woodend; thence east to the north-east angle of the said section 72; thence on the east by a road south to the south-eastern angle of section 22, parish of Woodend; thence south 80 chains, crossing the Five Mile Creek; thence west 80 chains; thence north to the Five Mile Creek; and on the south-west and west by the Five Mile Creek and River Campaspe to the commencing point - - - One.

15. Electoral District of the Murray Boroughs.

Woodonga:—Commencing at a point on the Woodonga Creek, being the north-east angle of suburban section A; thence on the east by a line bearing south 15 chains 50 links; thence west by a line 40 chains; thence south 21 chains 20 links; thence west 117 chains 30 links; thence north 60 chains; thence east 70 chains to the Woodonga Creek, and by the left bank of the said Creek to the commencing point.

Wangaratta:—Commencing at a point on the left bank of the River Ovens, 120 chains north-west of its junction with the River King; from that point south 360 chains; thence east 440 chains; thence north 360 chains, crossing Reedy Creek; and thence west 440 chains, again crossing Reedy Creek and the River Ovens, to the commencing point.

Benalla:—Commencing at a point on the north-east tributary of the Broken River, being the south-east angle of suburban allotment 4, section 8; thence by a line north to the north-east angle of suburban allotment 5, section 4; thence west to the north-west angle of suburban allotment 1, section 1; thence south-west by a line fifty chains to the north-west angle of suburban allotment 1, section 16; thence south to the south-west angle of suburban allotment 5, section 12; thence east to the south-east angle of suburban allotment 4, section 9; thence by the Broken River and its tributary aforesaid to the commencing point.

Euroa:—Commencing 5 chains south of a point on the Seven Creeks, being the south-east angle of suburban section 6; thence by a line west 190 chains; thence north 274 chains 50 links to the north-west angle of suburban section A 3; thence by the northern boundary of the said section to the Seven Creeks; thence by the said Seven Creeks to the north-west angle of suburban section B 2; thence east to the north-east angle of suburban section E 1; thence by a line south until it strikes the northern boundary of suburban section C 1, where the said boundary crosses the Seven Creeks; thence east to the north-east angle of the said section; thence by the eastern boundaries of suburban sections C and D and the Seven Creeks to the commencing point.

Avenal:—Commencing at a point on Hughes' Creek, being the south-east angle of suburban portion E 6; thence west 118 chains; thence north 155 chains 40 links, crossing Hughes' Creek; thence east 134 chains 60 links; thence south 134 chains 40 links; thence west to Hughes' Creek, and by the said creek to the commencing point.

Seymour:—Commencing at a point on Whitehead's Creek, being on the north-eastern boundary of the township of Seymour, thence east 200 chains,

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

thence south 160 chains, thence east 120 chains, thence south 200 chains; thence east 130 chains to a point on the River Goulburn, by the course of the said river to another point 80 chains eastward of the first-mentioned point on the said river; thence north 344 chains, crossing Whitehead's Creek; thence west 130 chains, recrossing Whitehead's Creek to the commencing point - - - - - - - - One.

16. Electoral District of Alberton.

Commencing at the mouth of Worrigall Creek on the Ninety Mile Beach:—Bounded on the north by a line west seventeen miles to the eastern branch of the River Tarra; thence on the south-west by a line in a south-westerly direction to the mouth of the Little River in Corner Inlet; and on the south and south-east by the sea coast (including Snake Island) to the commencing point - - - - - - - - One.

17. Electoral District of the Castlemaine Boroughs.

Castlemaine:—Commencing at a point one chain fifty links north from the north-west angle of section 39, township of Castlemaine; Bounded by lines bearing east 38 chains; south 160 chains; west 80 chains; north 160 chains; and east 42 chains to the commencing point.

Elphinstone:—Commencing at the south western corner of portion 3, section 1, north of Elphinstone: Bounded on the west by a line south 80 chains; on the south by a line east 80 chains; on the east by a line north 80 chains to the south-western angle of portion 18, section 1; and on the north by a line west, crossing the main road to Sandhurst to the commencing point.

Muckleford:—Commencing at the south-eastern angle of allotment 50, section 7; thence north 200 chains, thence west 200 chains, thence south 240 chains, thence east 200 chains, thence north to the commencing point.

Harcourt:—Commencing at the south-western angle of portion 27, section 4; bounded on the east by a line north to the north-western angle of portion 27, section 3; on the north by a line west to the main road to Sandhurst; on the west by a line south crossing Barker's Creek 160 chains; and on the south by a line east 80 chains to the commencing point - - - Two.

18. Electoral District of the Sandhurst Boroughs.

Sandhurst:—Commencing at a point on the Bendigo Creek 40 chains south of the junction of Ash-street and High-street; thence east one mile and a half, thence west two and a half miles, crossing the Bendigo Creek, thence south four miles, thence east to the point of commencement.

Lockwood:—Commencing at the south-western angle of suburban allotment 23, section 1; Bounded on the east by a line northward from that point to the south-eastern angle of portion 44, section 4; on the north by a line bearing west to the south-western angle of allotment No. 1, section 4; on the west by a line bearing south to a point due west from the commencing point; and on the south by a line east to the south-west angle of suburban allotment No. 23, section 1, being the commencing point aforesaid - - One.

19. Electoral District of North Grant.

Bounded on the north by the great dividing range, extending from the source of the Yarrowee River, to that of the River Werribee; on the east by the River Werribee aforesaid to the western boundary of the village reserve of Ballan; thence by a line south-westerly to the source of Williamson's Creek; and by that creek, and the said river Yarrowee to its source in the great dividing range aforesaid - - - - - One.

20. Electoral District of North Grenville.

Bounded on the north by part of the great dividing range, from the source of the river Yarrowee to the source of the Burrumbeet Creek, thence by that creek, and the southern shores of Burrumbeet lake, to the point where Baillie's creek leaves the lake, by Bailie's creek to its confluence with Emu creek, thence by Emu creek down to the point north of the source of Gnarkeet ponds; on the west by a line southwards from the last-mentioned point, and by the Grankeet ponds to where they are crossed by the main road to Geelong; on the south by that road to the river Yarrowee; and on the east by the river Yarrowee to its source - - - - One.

21. Electoral District of the Ovens.

Commencing at the Junction of Whorouly Creek with the river Ovens, bounded on the west by a line bearing north twenty miles; thence on the north by

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

a line bearing east to the Little River; on the east by the Little River to its source in the Dividing Range, thence by the Dividing Range and a line south to a point on the Ovens River nine miles above its junction with the River Buckland; on the south by a line from the last-mentioned point to the source of the River Buckland, thence by the Dividing Range to the source of the River Buffalo; and again on the south and west by that river and the Ovens to the commencing point - - - One.

22. Electoral District of Rodney.

Commencing at the confluence of the rivers Campaspe and Coliban, thence by a line south-westerly to the source of the M'Ivor or Patterson's Creek; thence by a line north-easterly to the confluence of Hughes' Creek with the river Goulbourn, and by the rivers Goulburn, Murray, and Campaspe to the confluence of the rivers Campaspe and Coliban aforesaid - - One.

23. Electoral District of the Loddon.

Bounded on the west by the river Avoca, from its source in the great dividing range to its entrance to Lake Bael Bael, thence by a line northward to the river Murray; on the north by the river Murray, on the east by the river Campaspe to its junction with the Coliban, and on the south by the northern boundary of the counties of Dalhousie and Talbot to the commencing point, excepting the country comprised in the electoral districts of the Castlemaine Boroughs and of the Sandhurst Boroughs - - Two.

24. Electoral District of Talbot.

Bounded on the north-west and north by the south-western branch of the river Loddon, from its source near Mount Cole to its confluence with the main stream; thence by the river Loddon upwards to its confluence with Mount Alexander Creek, by this creek to its source under Mount Alexander; thence by the Mount Alexander range to the head of Myrtle Creek, and by this creek to its confluence with the river Coliban; on the east by the river Coliban to its source, being part of the western boundary of the county of Dalhousie; on the south by the great dividing range to the source of the south-western branch of the river Loddon, near Mount Cole, excepting the country included in the electoral district of the Castlemaine boroughs - - - - - - - Two

25. Electoral District of East Bourke.

Bounded on the north by the great dividing range from the source of the river Plenty to that of the north-eastern branch of the Saltwater River, near Big Hill; on the west by the Saltwater river downwards to the south-western angle of section 12, parish of Bulla Bulla; thence by the southern boundary of the said portion, and by a line bearing east to the source of the Moonee Ponds in section 10, parish of Yuroke, thence by the Moonee Ponds southerly to Flemington Bridge, thence by a line south to the river Yarra Yarra; on the south by the river Yarra Yarra to its junction with the Plenty, and on the east by the river Plenty to the point of commencement, excepting the country included in the electoral districts of Melbourne, Collingwood and Richmond - - - - - Two.

26. Electoral District of West Bourke.

Bounded on the north by the great dividing range from the source of the river Werribee to that of the north-eastern branch of the Saltwater River near Big Hill; on the east by the Saltwater river to the south-western corner of portion 12, parish of Bulla Bulla; thence by the southern boundary of the said section, and by a line east to the source of the Moonee Ponds; in section 10, Parish of Yuroke; thence by the Moonee Ponds southerly to Flemington Bridge; thence by a line south to the river Yarra Yarra; on the south by the river Yarra Yarra, and the shores of Port Phillip Bay to the mouth of the river Werribee; on the west by the river Werribee to its source in the great dividing range, being the commencing point, excepting the country included in the electoral districts of Williamstown - - Two.

27. Electoral District of South Bourke.

Bounded on the north and west by the river Yarra Yarra, from its mouth to its confluence with the deep creek; on the east by the deep creek and a line

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

south two miles fifty-eight chains from that creek to Dandenong creek; by that creek to the northern margin of the Carrum swamp and Mordialloc creek to its mouth at the long beach below Ben Ben Gin, thence by the shores of Port Phillip Bay to the mouth of the river Yarra Yarra aforesaid, excepting the country included in the electoral districts of St. Kilda, South Melbourne, and Brighton - - - - - - Two.

28. Electoral District of South Grant.

Bounded on the east by the river Werribee, from its mouth in Port Phillip Bay to the western boundary of the reserve of Ballan, thence by a line south-westerly to the source of Williamson's creek, by that creek to the river Yarrowee; on the west and south-west by the Yarrowee to its confluence with the river Barwon, thence by the river Barwon to Hopkins' creek; by that creek and a line south-east across the dividing range to the head of the salt creek two miles and forty-eight chains, thence by Salt creek to the sea coast, north of Point Roadknight; on the south by the sea coast; and on the remainder of the east by the waters of Port Phillip Bay to the mouth of the river Werribee, including the small island near the channels of the mouth of Port Phillip Bay and Geelong Bay, and excepting the country included in the electorial district of Geelong - - - Three.

29. Electoral District of Evelyn and Mornington.

Evelyn:—Bounded on the west by part of the eastern boundary of the county of Bourke—that is to say, by the river Plenty from its source to the river Yarra Yarra; thence by the river Yarra Yarra to the confluence of the deep creek; thence by that creek to the range between the river Yarra Yarra and the Dandenong Creek; on the south-east and north by the range forming the basin of the river Yarra Yarra.

Mornington:—Bounded on the north by part of the southern boundary of the county of Evelyn, being the dividing range from the source of the river Buneep Buneep to the source of the deep creek; thence by that creek and a line south two miles fifty-eight chains from that creek to Dandenong creek; thence by that creek to the Carrum Swamp, by that swamp and the Mordiallac creek to its mouth at the long beach below Ben-Ben-Gin; thence by the shores of Port Phillip Bay to Point Nepean; on the south-west and south by the sea coast from Point Nepean to Cape Patterson; on the east by a line north from Cape Patterson to the Warringrin Range; thence along the said range in a northerly direction, to the mouth of the river Buneep Buneep, and by that river to its source in the dividing range, including French and Phillip Islands and the small islands in Western Port Bay - - - - - - - One.

30. Electoral District of Anglesey.

Part of Dalhousie:—Commencing at the junction of the Rivers Camaspe and Coliban, thence by a line south-easterly to the source of the M'Ivor or Paterson's Creek, thence by a line north-east to the confluence of Hughes's Creek with the River Goulburn; on the east by the River Goulburn until it joins the Dabyminga creek, by that creek to its source in the dividing range; on the south by the dividing range to the source of the river Coliban; and on the west by the last-mentioned river to its junction with the river Campaspie, being the commencing point, excepting the country included in the electoral districts of the Kyneton boroughs and of Kilmore.

Anglesey:—Bounded on the west by part of the eastern boundary of the county of Dalhousie, namely, from the River Goulburn from the confluence of Hughes's Creek to the confluence of Dabyminga Creek, thence by Dabyminga Creek to its source in the great dividing range; on the south by the great dividing range to the main source of the River Goulburn; on the east by the range dividing the waters of the main source of the Goulburn and Big Rivers from those of the Rubicon and Snod-pon-dock Creek, northward, to Mount Torbrick, thence by Jerusalem Creek to its confluence with the River Goulbourn, thence by the River Goulburn to the confluence of the River Delatite, thence by the River Delatite and its north-west arm to the dividing range between the last-named arm and Septimus Creek; and on the north by that range to the source of Hughes's Creek, and thence by Hughes's Creek to its confluence with the River Goulburn, excepting the country included in the Borough of Seymour - - - - One.

VICTORIA.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

31. Electoral District of Dundas and Follett.

Dundas:—Bounded on the west and north by the River Glenelg from the confluence of the Wannon to its source, between the Victoria Range and the Grampians near Mount William; on the east by the Grampians to their base near Mount Abrupt, thence to Mount Sturgeon and by a line crossing the Wannon River to the north-east angle of the county of Normanby at the Grange Burn; and on the south by the Grange Burn and the Wannon to its confluence with the Glenelg.

Follett:—Bounded on the west by the one hundred and forty-first meridian, being the line dividing Victoria from South Australia; on the south and east by the Glenelg River to its confluence with Power's Creek; and on the north-east and north by Power's Creek to its source, thence by a line west to the head of Mosquito Creek, and by that creek to the boundary line - One.

32. Electoral District of Normanby.

Bounded on the north by the Grange Burn and River Wannon until the latter joins the River Glenelg; on the west by the River Glenelg to the sea; on the south by the sea shore to the mouth of the River Shaw; and on the east by the western branch of the River Shaw to its source; thence by a line north to the source of the Swamp Creek; by that creek to Mount Napier Swamp; and thence by a line north six miles fifteen chains, to the Grange Burn, including the Laurence's and Lady Julia Percy's Islands, excepting the country included in the Electoral District of Portland - One.

33. Electoral District of Villiers and Heytesbury.

Villiers:—Bounded on the west by a line south from the Grange Burn to the mouth of the Swamp Creek; thence by this creek to its source by a line to the source of the western branch of the River Shaw to the sea; on the south by the sea shore to the mouth of the River Hopkins; on the east by the said River Hopkins to the confluence of Wyselaskie's Creek, and by that creek to its source; on the north by a line westward from the source of the last-named creek to the base of the Grampians near Mount Abrupt; thence by the principal range of the Grampians to Mount Sturgeon, and by a line south-westerly to the north-east angle of the County of Normanby, including all the islands at Port Fairy, and excepting the country included in the electoral districts of Belfast and Warrnambool.

Heytesbury:—Bounded on the west by the River Hopkins from its estuary to the confluence of the Emu Creek, thence by Emu Creek to the point nearest Lake Pormbeet, thence by a line easterly to the north end of Lake Pormbeet, thence by a line east to Lake Korangamite, and by the southern shore of that lake to the mouth of the Pirron Yaloak Creek; on the east and south-east by the Pirron Yaloak Creek to its source, thence by a range to the source of the Gellibrand River, by the Gellibrand River to the sea coast; and on the south-west and west by the sea coast to the estuary of the River Hopkins - Two.

34. Electoral District of Polwarth, Ripon, Hampden, and South Grenville.

Polwarth:—Bounded on the west by the River Gellibrand upwards to its source, thence by the range to the source of the Pirron Yaloak Creek, by this creek to Lake Korangamite; on the north by the south-eastern shore of Lake Korangamite, and an east line from Lake Korangamite to the north of Lake Colac, thence by the north shore of Lake Colac to the point west from the source of Birregurra Creek, from that point by a line east to the source of the Birregurra Creek, thence by the Birregurra Creek to its confluence with the River Barwon, thence following the course of the River Barwon to Hopkin's Creek; on the north-east by this creek and a line across the dividing range to the source of the Salt Creek south-east two miles forty-eight chains, thence by the Salt Creek to the sea coast north of Point Roadknight; and on the south-east and south by the sea coast to the mouth of the River Gellibrand, excepting the country included in the Electoral District of Colac.

Ripon:—Bounded on the west by the Grampian Range dividing the waters of the Rivers Wimmera and Glenelg from those of the River Hopkins, to its base near Mount Abrupt; on the south by a line easterly to the source of Wyselaskie's Creek, and by that Creek to the River Hopkins, thence by a line east to Lake Boloke, thence by the southern Shores of Lake Boloke to

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

the mouth of Prackmingerrin Creek, and by that creek to the point nearest to Emu Creek, thence by a line east to a point in Emu Creek one mile to the west of its confluence with Broken Creek; on the south-east and east by Emu Creek to its confluence with Baillie's Creek, by Baillie's Creek to Lake Burrumbeet, by the southern shores of Lake Burrumbeet and Burrumbeet Creek to its source in the great dividing range; and on the north by the great dividing range to the western boundary aforesaid.

HAMPDEN :—Bounded on the west by the River Hopkins; on the north by the southern boundary of the county of Ripon; on the east by a line southerly to the source of Gnarkeet Ponds, thence by Gnarkeet Ponds to Lake Korangamite, and thence by the west shore of Lake Korangamite to a point east of Lake Pormbeet, and from the north end of Lake Pormbeet to the nearest part of Emu Creek, and thence by Emu Creek to its confluence with the River Hopkins.

SOUTH GRENVILLE :—Bounded on the north by the main road between Portland and Geelong, from its intersection with the River Yarrowee to the Gnarkeet Ponds; on the west by the Gnarkeet Ponds to Lake Korangamite, thence by the western shores of that lake to a point east of Pormbeet; on the south by the southern shore of Lake Korangamite, thence by a line east from Lake Korangamite to the north shore of Lake Colac, thence by the north shore of Lake Colac to a point west from the Birregurra Creek, and from that point by a line east to the source of the Birregura Creek, and by that creek to its confluence with the Barwon; and on the east by the Rivers Barwon and Yarrowee to the commencing point - - - Two

35. ELECTORAL DISTRICT OF MURRAY.

Bounded on the south and west by the counties of Evelyn and Anglesea and the River Goulburn to its junction with the River Murray; on the north and north-east by the River Murray; and on the east by the great dividing range, excepting the country comprised in the electoral districts of the Murray Boroughs and of Beechworth - - - - Two.

36. ELECTORAL DISTRICT OF GIPPS' LAND.

Bounded on the south and east by the sea; on the north by a line bearing west from Cape Howe to the source of the nearest tributary of the Murray, and by the Alps; and on the west by the Alps and the counties of Evelyn and Mornington, excepting the country comprised in the electoral district of Alberton - - - - - - - - One.

37. ELECTORAL DISTRICT OF THE WIMMERA.

Bounded on the west by the boundary line of Victoria and South Australia; on the north by the River Murray; on the east by a line to Lake Bael Bael, thence by the River Avoca to its scource; and on the south by the boundaries of the counties of Follet, Dundas, and Ripon - - - - Two.

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FURTHER PAPERS

RELATIVE TO THE

DISCOVERY OF GOLD

IN

AUSTRALIA.

(In continuation of Papers presented February 14, 1854.)

Presented to both Houses of Parliament by Command of Her Majesty, *December* 1854.

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1855.

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SCHEDULE.

NEW SOUTH WALES.

DESPATCHES FROM THE GOVERNOR-GENERAL.

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VICTORIA.

VICTORIA.

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Sir Charles Hotham.

The Duke of Newcastle.

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RELATIVE TO THE

DISCOVERY OF GOLD IN AUSTRALIA.

NEW SOUTH WALES.

Despatches from Governor-General Sir C. A. FitzRoy.

No. 1.

Copy of a DESPATCH from Governor-General Sir C. A. Fitzroy to the Duke of Newcastle.

(No 158.)

Government House, Sydney,
December 18, 1853.
(Received April 19, 1854.)

No. 1.

My Lord Duke,

I have the honour to enclose the following returns for the quarter ended on the 30th September last.

1st. Return showing the quantity and value of gold exported: gold brought to Sydney; and the number of licenses granted to dig, search for, and remove gold; to erect temporary buildings, tents, &c., and to carry on business in any way at the Gold Fields.

2d. Return of the quantity and value of gold exported from the colonies of New South Wales and Victoria.

2. The total amount brought to Sydney by the government escort and by the post-office mails during the quarter was 31,015 oz. 6 dwts. 3 grains, not including 20,280 oz. 10 dwts. brought down by the Sydney Gold Escort Company. The licenses to dig, &c. amounted to 11,405*l.* 2*s.* 6*d.*, not including the leases to work auriferous quartz veins, the royalty on matrix gold, and the conveyance of gold by escort.

3. The gold exported from Sydney in the last quarter was 1,384,826 oz. 11 grains, value 4,500,629*l.*, but this includes the amount brought by sea from Victoria.

4. I also forward a copy of the Rev. W. B. Clarke's ninth report on the Geology of the Clarence District and the adjoining region, and a copy of Mr. Stutchbury's tenth quarterly report.

June 24. 1853.
July 1, 1853.

I have, &c.
(Signed) CHARLES A. FITZROY.

His Grace the Duke of Newcastle,
&c. &c. &c.

NEW SOUTH WALES.

RETURN showing the Quantity and Value of Gold exported,—Gold brought to Sydney,—and the Number of Licenses granted to dig, search for, and remove Gold, to erect temporary Buildings, Tents, &c., and carry on Business in any way at the Gold Fields, &c. &c., and the Amount received from the same,—during the Quarter ended 30th September 1853.

Gold Exported.		Gold Brought to Sydney.				Licenses.											Leases to Work Auriferous Quartz Veins.		Amount of Royalty on Matrix Gold.	For the Conveyance of Gold for Government Escort.	Total Amount received during the Quarter.
						† Crown Lands.					‡ Private Lands.										
						British Subjects.		Foreigners.		Trader	British Subjects.		Foreigners.								
Quantity.	Value.	From what District.	By the Government Escort.	By the Post Office Mails.	Total.	30s. each.	15s. each.	60s. each.	30s. each.	30s. each.	15s. each.	7s.6d. each.	30s. each.	15s. each.	Total Number of Licenses issued.	Fees on Transfer of Claims.	Total Amount Received for Licenses.	No.	Amount			
Oz. dwts. grs.	£. s. d.		Oz. dwts. grs.	Oz. dwts. grs.	Oz. dwts. grs.											£. s. d.	£. s. d.		£ s. d.	£. s. d.	£ s. d.	£, s. d.
128,509 19 0 *	417,657 6 9	Western	18,985 5 5	657 0 0	19,642 5 5	4,040	386	-	-	559	38	4	-	-	5,027	7 0 0	7,225 0 0	-	150 0 0	49 8 1	569 10 11	7,993 19 0
		Southern §	4,783 15 15	511 0 0	5,294 15 15	786	160	-	-	18	832	61	-	-	1,857	0 10 0	1,973 7 6	-	- -	- -	143 10 3	2,116 17 9
		Northern	5,383 5 7	695 0 0	6,078 5 7	1,253	225	-	-	105	-	-	-	-	1,583	1 0 0	2,206 15 0	1	25 0 0	- -	161 9 11	2,393 4 11
128,509 19 0	417,657 6 9	Totals -	29,152 6 3	1,863 0 0	31,015 6 3	6,079	771	-	-	682	870	65	-	-	8,467	£8 10 0	11,485 2 6	1	175 0 0	49 8 1	874 11 1	12,504 1 8
		From the Ovens River, Albury, Adelong, &c., by the Sydney Gold Escort Company - - - -			20,280 10 0																
					51,295 16 3																

* Includes a portion of the gold brought from the neighbouring colony of Victoria, but which cannot be distinguished.
† *Licenses.*—Crown Lands.—British subjects pay a fee of 30*s.* per calendar month, and 15*s.* for the residue of a month after the 15th day thereof. Foreigners pay double fees for the same periods.
‡ Private Lands.—British subjects and foreigners pay one half only of the fees chargeable for Crown Lands.
§ No Licenses issued within the Murrumbidgee District, in consequence of all digging being stopped by the very wet season.

N.B. The Act of Council 17th Victoria, No. 23, which came into operation 1st October 1853, reduces the fee on licenses to dig, &c., for gold to 10*s.* per month in all cases.

Colonial Secretary's Office,
Sydney, November 15, 1853.

NEW SOUTH WALES.

NEW SOUTH WALES.

GOLD EXPORTED.

Year.	Quantity.			Value.		
	Oz.	*dwts.*	*grs.*	£	*s.*	*d.*
1851 - - - -	144,120	17	16	468,336	0	0
1852 - - - -	818,751	18	17	2,660,946	0	0
1853, 1st Jan. to 30th Sept. -	421,953	4	2	1,371,347	0	0
Totals - -	1,384,826	0	11	4,500,629	0	0

Enclosure 2 in No. 1.

Encl. 2, in No. 1.

GOLD EXPORTED.

RETURN of the Quantity and Value of Gold Exported from the Colonies of New South Wales and Victoria for the Quarter ended September 30, 1853.

To England.	To Sydney (N.S. Wales).	To Adelaide South Australia	To Singapore.	To Callao* To United States† (New York).	Total.	Value.
Oz. dwts. grs.	*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*	£ *s.* *d.*
EXPORTED FROM VICTORIA.						
684,400 19 17	300 0 0	- - -	34,033 1 0	*3,100 0 0 †6,000 0 0	727,834 0 17	2,729,377 13 1
OVERLAND ESCORT TO SOUTH AUSTRALIA.						
- - -	- - -	22,567 15 0	- - -	- - -	22,567 15 0	84,629 1 3
OVERLAND ESCORT TO SYDNEY.						
- - -	16,487 5 0	- - -	- - -	- - -	16,487 5 0	61,827 3 9
684,400 19 17	‡16,787 5 0	22,567 15 0	34,033 1 0	9,100 0 0	§766,889 0 17	2,875,833 18 1

EXPORTED FROM NEW SOUTH WALES.	128,509 19 0	417,657 6 9
Deduct gold exported from Victoria to New South Wales, as above‡ - -	16,787 5 0	62,952 3 9
Estimated net quantity and value of gold exported, the produce of New South Wales - - - - - - - -	111,722 14 0	354,705 3 0
Ditto ditto ditto Victoria, as above§ - - - -	766,889 0 17	2,875,833 18 1
Total from both colonies - - - - -	878,611 14 17	3,230,539 1 1
Estimated net quantity and value of gold exported from both colonies, from 29th May 1851 to 30th June 1853 - - - - -	4,377,577 3 7	14,954,357 13 7
Grand Total - - - -	oz.5,256,188 18 0	18,184,896 14 8

Colonial Secretary's Office,
Sydney, New South Wales,

November 11, 1853.

Enclosure 3 in No. 1.

Encl. 3, in No. 1.

LETTER from the Rev. W. B. CLARKE, to the Honourable the COLONIAL SECRETARY, on the Geology of the Clarence District and the adjoining regions.

REPORT No. IX.

Coolambarra, County of Stanley,
June 24, 1853.

SIR,

IN my last Report, dated 7th May, I expressed an intention of completing my barometrical section from the interior to the tidal waters, on a due west and east course; and a hope, that I might, thereafter, be able to report on the geology of the Clarence River district.

I have now the honour of stating for the information of His Excellency the Governor General, that, having completed a double section between the interior and the dividing range, in about 29°40′ south, after the delay of a week, which was required for the purposes of rest and the completion of my last Report, I started to the eastward, and, I am happy to add, successfully accomplished my intention, carrying, without accident, the same instruments throughout both journeys, which extended in direct distances, to and fro, 334 miles, the mean section being 150 miles in length.

NEW SOUTH WALES.

The table of elevations procured in these traverses will be given at the end of this communication, which will be devoted to a general account of the geology of the country forming the Clarence district, and of such tracts to the southward, eastward, and northward, as naturally connect themselves with it and with those portions of territory north of the Liverpool range, on which I have already reported.

In entering on this duty, I have to express my regret, that owing to the topographical survey of the district under review being yet incomplete, it will not be possible to convey to His Excellency by any authentic chart so clear a reference to some of the localities to be mentioned as I could wish. I must therefore introduce the general geographical features which bound and intersect the district, before I proceed to treat of its geological character.

It comprises the basins of the Clarence, Richmond and Tweed; and is bounded to the south by the precipitous broken ranges which separate it from the basin of the Macleay; to the west by the New England table land, from the south-eastern spurs of the Ben Lomond range to the northern termination of the meridional portion of the Cordillera, near Maryland; and thence the northern boundary is Macpherson's range and its spurs, which separate it from Darling Downs and the Moreton Bay districts, and terminate on the coast north of the Tweed.

As the three inland boundaries are all of very considerable elevation, they give rise to numerous creeks and rivers, of which many are yet unsurveyed, and some are indistinctly known to those by whom they are occupied. Nor is it remarkable that, in so complicated a system of drainage, such should be the case.

The Clarence river is formed of two systems of waters,—one rising in the counties of Drake and Buller, and composed of streams which united form what is called the north arm, and another collecting the waters of the counties of Raleigh and Gresham, which form the south arm. These systems meet from opposite directions, and send their accumulated current transversely to meet the tidal waters, which flowing through a country of natural terraces in the county of Clarence form the noblest estuary on the eastern coast.

The waters of the Richmond have their origin at a short distance from the most northern sources of the Clarence, and after passing to the 153rd meridian, flow southwards to the parallel of 29° south; and then, pursuing a course through the counties of Rous and Richmond very similar to that of the Clarence, enter the ocean a little south of 29°.

A moderately elevated ridge called the Richmond Range, separates the main waters of the Clarence from those of the Richmond; the basin of the Tweed occupying an inconsiderable space in the north-eastern corner of the county of Rous.

The Ora-Ora river, together with a numerous series of small independent drainages running to the Clarence estuary, occupies the southern portion of the county of that name; and a few small streams rising in low coast ridges pursue their own short courses to the sea.

It seems necessary to make mention of these facts, because the Clarence is the only well-defined district which unites in itself the distinctive formations characteristic of the geology of New South Wales; and (besides thus presenting an epitome as it were, of those formations,) offers the clearest proof, in the directions of its ranges and rivers, of the close alliance between topographical features and those physical phenomena which it is the province of geological science to elucidate and explain.

It would occupy far more space than can be spared on this occasion to show how minutely, in some instances, this principle is illustrated in the basins of the Clarence and Richmond; but it would be easy to point out the parallelism which obtains in various localities, not only between the channels of drainage of different streams, but between them and the joints which traverse the formations through which they run, and the ranges which are followed in their courses.

The formations in question are the same as those which were discussed in the last Report, the Clarence district exhibiting them in the same natural order as exists on the western slopes from the Cordillera to the interior; and, although the eastern side is more abrupt and broken than the western, yet the regular succession of formations being alike on both, the existence of an anticlinal axis is plainly demonstrated, and therefore, the choice of this parallel for the purpose of a section across the Cordillera is justified.

I will now proceed to give a rough outline of the demarcations of the granitic, schistose, and carboniferous formations which occupy this district, together with the various trappean eruptions by which they have been pierced, transmuted and overflowed; together with such indications of gold or other valuable minerals as they may present.

A very remarkable feature distinguishes the whole of the country watered by the Clarence river. It has already been stated that the waters of the Macleay are projected over a precipitous escarpment into the lower country by a series of falls; and the same feature is equally prominent on the Clarence, for the southern branches either form cataracts, or descend in very deep channels formed in the granitic or trappean rocks that compose the eastern edge of the New England table land. It has also been explained, that Ben Lomond is the culminating point of that country, and that its spurs separate the waters in all directions; the Macleay waters are, therefore, separated from the Clarence in this way, and the latter in part collect among the trappean summits that form parts of the south-

eastern *coulée* from Ben Lomond. Now it has been shown, that these trappean eruptions have issued through the granite which forms the country about Boorolong, Stonehenge and the Uralla.

On and eastward of the 152nd meridian, granite also rises into considerable eminences on what are called the Snowy Mountains, north-east of Armidale, and on the main track to Grafton from that place. It is there syenitic, and forms the escarpment of the Falls. Further to the east it shows itself again for the space of two miles, and to the west, as before stated, it occurs on the Gara Falls.

A line drawn from the easternmost granite through Broad Meadows and onwards to Maryland will readily define the general limits and width of the granitic region, in which, however, are some interruptions from trap and certain members of the slate formation.

A few mile east of Ben Lomond rises a very remarkable summit called Mount Mitchell, being a round prominent projection from the table land, of which the base is granite and the summit a reddish decomposing trap.

From the dividing range about Ben Lomond and to the eastward of Stonehenge, rises Mann's or Bloxsome's River; from the slopes of Mount Mitchell descend the sources of Mitchell's River; from the Snowy Mountains Boyd's River rises; and between the latter and the Ora-Ora, the south arm of the Clarence. But there are a variety of streams forming the larger affluents.

At the back of Dundee, and still eastward of the head of the Severn, rises, in a table land of granite, the eastern escarpment of which borders Mann's Rivers, another "Rocky River," which in features, in the structure of the granite through which it flows, and in other characters, is the counterpart of the "Uralla" or "Rocky River," west of Armidale. Its course is north and north-eastwards to the northern arm of the Clarence. Still further north-east of Tenterfield rises the Cataract river, also falling to the same arm. And thence to Coreela rise various creeks, whose heads are, as those of the waters above mentioned, in the granite of the dividing range or near it.

The whole of these waters form cataracts of greater or less volume, and as these cataracts are occasioned by the broken nature of the country, it is clear, that some general physical derangement has taken place.

Eastward of Bolivia, on the dividing range between the Mole and the Rocky River this feature is repeated; for, at the back of the mountains which form the striking summits of Capoompeta, Jonblee, Jondahl and Cooloomgwarra, the same precipitous character is represented in a series of bluffs, totally different from the general features of the slopes towards the westward.

Between Bolivia and Tenterfield there is, however, a somewhat similar feature in one place, where the granite forms to the westward a very remarkable precipice which is there called "The Bluff."

At Bolivia, porphyry and trap intersect the granite, which is filled with numerous dykes and veins of quartz, that stretch across the ranges to the eastward. At a spot overhanging the Cataract river, called "Wellington's Look-out," on the open Downs about Tenterfield, at the heads of the creeks running to the Dumaresq, and at the head of the Rocky River and above the Mann, there are enormous blocks and balanced eroded masses of granite.

There have been, therefore, in this granitic region various modifying forces, and from what has been previously experienced in other similar regions, auriferous indications may be looked for from geological data. It is satisfactory to know that such anticipations have been confirmed by actual trial.

The "Rocky River" on being "prospected," produced fine gunpowder gold precisely like that of the western Rocky or Uralla, from every pan that was washed along several miles of its course; and in a flat or swamp, called locally Butterlip, between Bergouilla and Dunbarra, there is also a deposit of gold, as well as in other places in the neighbourhood. The only fear is, that the abundance of water may render whatever deposits there may be difficult of access. In the Cataract river there is also a little gold.

Mann's River holds gold, rubies, abundance of sapphires, oriental emeralds, and other minerals.

The creeks forming the Mitchell abound in sapphires, and from the slopes of the mountain, and about two feet under the surface, almost every pan of earth will produce several particles of what the Uralla diggers call coarse gold. I have before (VIII. p. 4) reported the granite about Mount Mitchell to be auriferous; and I have lately received a communication from a friend, who is an experienced gold seeker, which confirms my statement.

The Boyd river has furnished some good samples of gold of similar character; and Clode's Creek, which is an affluent of the south arm, has been frequently prospected, and has always produced evidence of the existence of gold.

I am firmly impressed with the conviction that dry diggings exist on the table lands at the heads of these waters, and that such will be found at the head of the "Rocky River," where the features are precisely those of the similar country between Araluen and the Shoalhaven. There is also a spot near Bonungee, not far to the south of Maryland, which seemed to me to be likely to produce a little gold, as the character of the granite changes to that which distinguishes the Rocky Rivers, but as the rain fell in torrents all the time I was in that neighbourhood, I had no opportunity of testing the opinion.

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Some of the deep creeks between the Cataract River and the termination of the north and south trend of the granite at Parrot's Gap may also be found auriferous; but if not, there is still evidence sufficient to show, that the views I have entertained of the auriferous character of the New England and neighbouring districts, and of the country "north of Ben Lomond" (VII. p. 15) were not chimerical; for from the 23nd to the 29th parallel, I have proved that gold is universally distributed along the summit or on one or other side of the main dividing ranges of the Cordillera; and although in small quantities, this gold has been collected by various adventurers.

In this way, the Clarence River district takes its place as an auriferous district, though the gold is chiefly confined to the granitic portion of the walls by which its basin is surrounded.

The localities indicated above are not, however, the only localities in which granite is found in that district; for it again breaks out, in association with serpentine and metamorphic schists, near the Camelback Mountain (Warràn) above and below the junction of the two arms, and from that point to and beyond the junction of the Rocky River, a little to the north, and to the south of Tabulan; and also at the base of the range between Camira and Mount Double Duke, dividing the counties of Richmond and Clarence, and points of granite show themselves in other localities.

In the granites between Tabulan and the head of the Rocky River, and along the main ranges, as from Maryland to Bolivia, there is a great abundance of graphite, and much sulphuret of antimony, and veins of galena also occur in various places. These mountains are extremely wild and have not been surveyed; indeed, I question, whether some of them were ever before subjected to the white man's investigation, and I do not doubt, that the country between Capoompeta and Tabulam deserves a careful scrutiny for metals and economic minerals. Near the Camelback Mountain are abundant indications of copper and lead, fragments of ores of which lie on the surfaces of neighbouring runs.

Connected with granite there occur in various places rocks of felspathic kind, which are not deserving of more than casual mention in this report. Such are found under the character of eurite or felsparite, a little north of Gordon Brook; near Yulgilbar; as ophite, between Tenterfield and Wheatley's; and as variegated felspar on Clode's Creek, where it passes into a schistose rock. The usual forms of binary granite are frequent in the granite region on the table land. At Frocester on the Rocky River, the decomposition of pegmatite has produced considerable sand. In some cases these felspathic rocks are associated with schistose masses, approaching slate, and may be actually mere transmutations of such rocks.

Slate District.

Reposing upon the granite, or associated with it, or pierced by it, there is a considerable area occupied by rocks of which the character is decidedly schistose; in some places true slates, and in others flag-stones, forming the distinguishing features.

In the more southern districts of Macquarie and Macleay, similar rocks occupy a most prominent position, and are connected with serpentine, granite and limestones.

On the north part of the former county, and about 31° S., the limestone is abundant, and contains fossils of the middle or older palæozoic era; clay slate, mica and talc slates, the lower members of the series observed by me on the Apsley and Macleay Falls, and bounded towards the east by the granite, syenite, and trap of Smoky Cape and the neighbourhood of Trial Bay, which seems to be intrusive, appear to exhibit a full development of those rocks which are denominated silurian. Passing northward, chloritic schists occur along the creeks flowing to the coast in about 30° 30′ S. lat., and thence hardened quartziferous schists are intersected by the coast about the Solitary Islands, which are composed of similar, apparently transmuted slates. Rocks of this kind, so far as I could observe them, form various parts of the country in the broken region at the head of the southern branches of the Clarence. But I am indebted to the kindness of Commander Yule, R.N., for the means of examining the composition of the Solitaries. He landed there expressly to bring away specimens of the rock, at my request.*

My object in alluding to the rocks of the lower Macleay and of Port Macquarie is, to show the high probability that the slate system—which we have already seen is developed at the heads of the Namoi and Apsley, and in other parts of New England—underlies those parts of the Clarence district, which are now covered up by a carboniferous formation; in which case, they hold the same position on the eastern flank of the Cordillera as the slates of the Bingera country do on the western. And as I have (though not reported on in this journey,) years ago proved the existence of a carboniferous formation in the southern part of Macquarie and in Gloucester, which rests on the transmuted rocks at the head of the Manning, and connects the northern coal fields with those of the Hunter, the argument is in favour of this arrangement.

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* I am also indebted to the Reverend Coles Child, of Scone, for a sketch of this part of the coast, and for most valuable assistance, during some years of patient research in order to assist me in collecting materials to illustrate the carboniferous and trappean rocks of the Clarence. As I have so recently traversed some of Mr. Child's ground, and have also more recently seen the Solitaries and the coast from seaward, I can confirm the accuracy of his observations. It is but just to him thus publicly to express my obligation to him, because I shall have occasion, further on, to take advantage of his information as to some points relating to the boundary of the carboniferous region, which I only partially made out in my late journey.

St. Leonards, 24th August, 1853.

As an item in the account, must be included the fact, that particles of gold have been found at various localities in the Macleay and Macquarie districts; so far, therefore, we find the auriferous character of the country as persistent as its geological features. If then, the analogy holds good, the same argument that was maintained respecting the probability of gold under the sandstones &c. of the Gwydir, will hold good when applied generally to the same conditions in the Clarence. Having, by an accidentally long passage down the coast, from Cape Moretown to Cape Hawke and Sugar Loaf Point, during which I was detained frequently within the limits of close observation of the country near the sea, had opportunities of examining the features and contour of the districts I had explored inland as they are presented from the eastward—I can only conclude, that the patches of carboniferous rocks, which all along the maritime counties occur at intervals, owe their present position to great undulations and probable partial denudations of the slate rocks, the transmutations of which, as well as of the carboniferous formation, appear to be clearly explained by the way in which igneous masses of various kinds are seen from the ocean level to rise up amongst them. It is satisfactory to be able to read off the relation of such phenomena, with, as it were, a running commentary upon them.

On the direct line of section across the Cordillera to Grafton, slate rocks generally soft and of a yellowish hue, but interpolated by harder varieties, occasionally quartziferous and pierced by trappean summits, occupy the whole of the country between Budgereen, (on the eastern side of the Rocky River granite, and which is a porphyritic mass,) and the neighbourhood of the Ora-Ora River. A more wild and picturesque region it is impossible to discover, being completely in a state of nature, and quite uninhabited, except by a few Aborigines, for a distance of nearly 100 miles. The chief features in this district are deep, densely-wooded glens, bold escarpments and long narrow winding ridges, which form lofty walls between the defiles. In the latter there are numerous creeks, in the beds of which are disclosed hardened strata of bluish slate carrying veins of quartz, or other metamorphic rocks; and the detritus of these near the limits of the carboniferous formation, is mingled with fragments of jasper, fossil wood, and transmuted sandstones, proving that the cause which has affected one formation has, probably, affected the other.

Curraldural Creek which rises near Budgereen, at its upper portion has the characters of an auriferous water; it resembles very much the head of Araluen Valley. The bottom of the defile is filled with boulders of granite, porphyry, and flinty slate traversed by quartz. I followed it to its junction with the Boyd River, and observed there the evidence of transmutation, similar to that about the Hookanvil Creek at the Hanging Rock.

A very precipitous ridge, having on its eastern flank beds of coarse grit, separates this creek from Cunjulbung Creek, which gives its name to the district. At Camborda, on this creek, where my party encamped, beds of soft greywacke grit (quartz and felspar) held large nodular concretionary masses of hard grey and black flinty slate, passing into green-slates with quartz veins. The dip of the beds was to S.E., at an angle of 24°. They were covered by a red ferruginous soil of considerable thickness, and reposed upon a hard silicious rock passing into grey slates, which again appeared on Baregal Creek, entangling numerous fragments of blackish slate, thus forming a breccia with apparently the some dip as the higher beds. It would appear that the silicious rock had burst through the slates and broken them up. The whole mass was also striped and marked by well defined planes of cleavage. In Baregal Creek a few particles of gold were detected. At Cundarega, on Baregal Creek, below Bargollum Mountain, hard silicious slaty grits, dipping irregularly to N.E., from 80° to 82°, pass into slaty rock filled with innumerable bands and veins of quartz. These are surmounted by series of beds of buff or yellow slate, interpolated by fine grits, occasionally hard, having a general dip to N.E., at an angle varying to 40°, which form the mountain, the summit of which is a coarse grit, with a point of trap; the surface is strewn with patches of quartz viens, which crop out on the mountain ridge. The height of the summit above the creek is about 900 feet. Looking north-west from the summit, numerous flat and gable-shaped masses presented themselves amidst the slaty ranges, showing that trappean eruptions have pierced these deposits universally in regular lines. They have evidently burst up through cracks transverse to to the granitic table land. One of the most remarkable of these is Boorunbukkit.

Descending from Jeelin on the spur from Bargollum to Yundàn on the south of the Clarence, quartz rock and dark silicious schist occur, with a small point of syenite, in the midst of the slates and grits; and in the bed of the river, near the junction of Jaconot Creek, the hard dark silicious rock before named presents itself filled with veins of quartz.

This rock passes upwards at Dundonyia into hard siliceous quartziferous schists, surmounted at Yollòga by a narrow ridge of yellow schists (as at Bargullum); the reverse order being observed on the descent to the Ora-Ora river, which is occupied by the carboniferous formation.

At Monàm on the Yallòga range, further south, the ground is strewn with pebbles of grit and conglomerate, covering the yellow schists, which at Goona, on the south arm descend into the river on a N.W. and S.E. strike having a dip of 34° to N.E., and repose upon hard concretionary silicious rocks. As the bed of the river at this spot, at Carragugga, and further up, is covered by shingle, and boulders of red and grey granite, quartz, porphyry and various transmuted rocks of silicious composition—amongst which are portions of quartz veins containing hornblende and epidote, and fragments of silicious breccia—it is

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clear, that on the southern limits of this region of slates metamorphic action has been well developed.

Passing from Carragugga, along the ranges separating the Broad Meadows water from Newton Boyd, trappean rocks rose from amidst the softer slates, which near the trap were invariably baked and silicified; greenstone appearing at Legarmin.

It was reported to me, that some gold had been found at the head of Camborda Creek. One of my camps was at Kanumbagurree near that spot; but heavy rain fell all night and part of the next day, and our prospecting operations were too limited to be of any use.

From this place to Yerrigoro, the slates exhibited gradual progress to a more silicious rock; suddenly the formation was cut off by one vast fault, and descending along its face, which was except at one point, a precipitous escarpment of about 1500 feet, I came upon quartz rock in the bed of a creek, and then to decomposed granite, which was succeeded at Bickan, on the Newton Boyd Water, by granites belonging to the table land, and which range thence uninterruptedly to Dundee.

The ascent from Bickan first led along Mann's River, in the bed of which hard grey porphyritic elvans from north-east to south-west crossed the granite, where it was large grained and contained crystals of quartz having three, four, and five sides, with rounded edges and dull surfaces as if corroded by fluoric acid. I have seen similar crystals before, and understand them to be the abortions of impeded crystallization. This was succeeded on Teranbin Creek, under the magnificent crags of Myownyia and Birri Birri, by a very hard granite, with green mica, white quartz, and white felspar, striking south-west and north-east, filled with veins of quartz, hard porphyry and felspar, the mass of the rock being ribboned by gneiss-like laminæ, which I regard as proofs of the granite having flowed like some lavas. Large crystals of felspar are very common in this granite, and emeralds of minute size were washed from its detritus. All doubt of the eruptive character of the granite rocks of this locality is removed by an inspection of them From this to Newrum on Currandure Binderry (as Mann's River is there called,) at the foot of the New England Pass the surface is undulating from alternations of knolls of coarse soft granite and harder varieties with quartz veins. The bed of the river there is filled with huge boulders of grey granite, and in the detritus are the same gems which I found in the same river near its head a little south of Ben Lomond.

Jambin Creek enters the river near the foot of the pass, and descends in a series of cataracts which are bordered by picturesque pyramids and columns of granite. Encamped on this creek, about half-way up, between Mann's River and the table land, I noticed that the ranges immediately opposite exhibited a surface varied by depressions and rounded hummocks, as if they had been subjected to erosive action. As the river has here broken through the escarpment of what are called the Falls, and which, as before mentioned, range all round the eastern side of the table land, these appearances can be accounted for, as the results of the action of water falling from the plateau, as Jambin Creek now does; the river at the foot of the pass having an elevation of 1,300 feet, must have a fall of at least 3,000 feet from its source. Jambin Creek has a descent of about 1,400 feet, from the table land, which at its edge is 2655 feet above the sea.

Bands of green felspar or ophite, passing into porphyry, occur in the granite on the steep spur by which the pass is ascended; and in one place, where the decomposing granite has been cut through in the formation of a new line of road, I saw patches of similar substance in the midst of the granite. The table land is surmounted by huge masses of eroded granite piled on each other, and of the most extraordinary forms, and amongst them the waters of the Rocky River rise in a wide plain, below a bald range which divides them from the sources of the Severn.

I have thought it right to describe this area so minutely, because of the remarkable and very instructive phenomena which are presented on the eastern falls, and at the junction of the granite with the slates.

Regarding the physical features and the structural and mineralogical conditions of the granite and associated porphyries; the undoubted metamorphic nature of the lower part of the slate formation; the abundance of silicious matter, and its increase as we descend in the geological scale, the quartz veins becoming so prominent and the granite itself appearing in some localities to be enveloped in a nucleus of quartzite, it is impossible to deny the conclusion that in this district we have the plainest evidence of igneous action and mechanical violence; summits of trap of a later date having also burst through and overflowed the granite, and transmuted the upper slates and still more recent carboniferous beds; and the rivers and creeks passing from the table land in channels of vast depth that have had their direction and original formation in fissures produced by contraction and force. It is also clear, that these eruptions have been connected with an extraordinary developement of silica.

These granitic portions of the great fault that ranges from the Apsley and Macleay are quite as grand and interesting as those which are occupied by the slates of those rivers; and though the latter are more easily disintegrated and excavated by the elemental powers than granites, yet the only main difference between the two classes of rivers is, perhaps, in the *width* of the basins, the depths being nearly the same.

Having thus defined and characterized the western boundary of the slate formation in the Clarence district, and exhibited a vertical section,—the following horizontal sections along the ordinary routes from and to the table land, (the former to the southward, and

the latter to the northward of the line of section through Cunjulbung) will suffice to show in what manner the order of the formations is exhibited on either side.

(A.) *Order of rocks on the line of traverse from the Snowy Mountains to Grafton.*

1. Grey granite.
2. Basalt with chrysolite (Guy Faux).
3. Greenstone (Hernani).
4. Felspathic rock (Hughes and Blick's).
   (This is evidently an altered state).
5. Schist.
6. Trap.
7. Granite.
8. Felspathic grits derived from granite or from slates that have been altered. (Clode's Creek).
9. Green ditto.
10. Sandstone with fossil wood and coal (Grafton).

We have in this traverse, schist between granite, with trappean rocks on each side and between it and the granite, and on the west side altered by the trap. Again we have the detritus of these rocks worked up into members of a carboniferous formation; just as on the Hunter the base of the same formation has been derived from porphyries, and transmuted.

(B.) *Order of rocks on the traverse from Grafton to Tabulam.*

1. Sandstone with fossil wood, &c.
2. Porphyritic grit.
3. Ferriferous quartzite, with veins of quartz.
4. Hard white granite.
5. Ferriferous heavy grit.
6. Whitish decomposing compact felspar.
7. Pebbles in hillocks, with undulating flats.
8. Silicious slate and serpentine, in stony ridges, striking E.S.E. on black soil.
9. Granite with serpentine, and compact felspar, in ridges with black flats; on the hills, grey cornean. (Yulgilbah).
10. Serpentine and granite.
11. Compact felspar; diallage rock and serpentine.
12. Granite.
13. Sandstone and grit with fossil wood.
14. Granite.
15. Sandstone with fossil wood.
16. Granite.

(C.) *Traverse from Tabulam to Tenterfield*

1. Sandstone with quartz pebbles.
2. Granite.
3. Ophite and green schist pebbles. (Derived from conglomerate?)
4. Flinty slate.
5. Granite.
6. Ophite and silicio-felspathic schist.
7. Pegmatite. (Table land.)
   Decomposing into sand (Frocester).
8. Granite.

The two last sections are interesting, as exhibiting the contact of the carboniferous with the older formations, and as introducing the consideration of the former.

Carboniferous Formation.

If we draw a line east of the Clarence, from near Tabulam to the junction of the two arms, and thence east of Camelback Mountain to Catika Creek, about four miles from Yundàn, which is near the junction of Jaconot Creek with the south arm, we shall define the western boundary of the carboniferous formation.

Beyond this to the sea the whole country is occupied by a series of sandstone, grit, conglomerate, and slate beds, charged with ferns and fossil wood, and which dip synclinally S.E. and N.W. at low angles, or nearly so, in those directions. These beds are nearly undistinguishable from many of similar constitution in the coal fields of the basins of the Hunter and Wollondilly. A little south of the parallel of 30°, the ascertained limit of this formation turns eastwardly, and strikes the coast between the Sandon river and Wooli Wooli. The northern boundary is the trachytic region of Macpherson's Range, on the southern flank of which it runs up between the spurs of the range and the insulated masses in advance of it, good coal having been procured, and in some abundance, from the creeks about Coreela and Megàn.

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The Richmond District is a continuation of this coal field, and the range dividing the basins of that river and the Clarence is also chiefly occupied by the sandstones of the formation.

Again, Macpherson's Range separates this coal field from that of the county of Stanley and Moreton Bay, which reposes at its southern boundary on the northern flank of the range, and this, as seen from the seaward off the mouth of the Tweed, appeared to me as a kind of dome dipping anticlinally with gradually dimishing summits under the carboniferous formation. Mount Warning, the loftiest summit in advance of this mass, has a remarkable inclination towards the north, showing as if the upheaval had operated in that direction.

As the western end of Macpherson's Range exhibits some equally striking features in the Obelisks and leaning columns of trachyte about the heads of the Clarence, in advance of the range, the character of that range is persistent, and therefore the lower members of the carboniferous formation may be looked for along its southern base.

As I discovered sandstones and grits of that formation bedded on the summit of the water-shed between the affluents of the Clarence, the Condomine, and the Dumaresq, and reposing there on granite a little north of Maryland, at an elevation of 3049 feet above the sea, we have an undeniable proof that there is a connexion established, not only between the carboniferous beds of the Richmond, Clarence, and Moreton Bay, but between the former and Darling Downs; and, as stated in my preceding Report, this connexion also obtains with the western country. And thus we perceive that portions of one great carboniferous formation are found in all districts of the colony, resting on older rocks and mantling round their bases, as well as occasionally cresting their summits.

Near Maryland the sandstone has the general nearly horizontal position which distinguishes so much of the similar rock near Sydney, although its elevation is greater than it attains either near Berrima or on King's table land. The horizon of the Richmond and Clarence districts, where they are occupied by this formation, as seen from a commanding point of view in any given direction, also exhibits that generally level outline which is so conspicuous in the Cox's River and Wollondilly country, the only interruptions to the uniformity being the uneven summits of crumbling conglomerates, or of trappean hills, that rise through the stratified deposits and overflow them.

On the south side of the Clarence basin the sandstones and other members of the formation rest, as on the northern side upon the older rocks that separate the Clarence waters from those of the Macleay.

So far as my own observation has gone, I conclude that there are in the Clarence field representatives of those beds of the county of Cumberland, which I have denominated the Wyanamatta, or Upper Coal Beds. As at Waimalee and near Campbelltown, some of the fern-bearing beds have been unquestionably derived from triturated igneous rocks, so there are greenish shales of similar kind, and felspathic grits and conglomerates like some of those along the Hunter, which I doubt not have had similar origin. An instance has been already cited in the traverse from the Snowy Mountains to Grafton. Much of these Clarence and Richmond deposits must have been derived from greenstones and other trappean compounds, and from trachytic rocks. In more than one instance deposits of meerschaum, or magnesite, derived probably from serpentine, contain impressions of fern leaves. The magnesite of Coulommiers* also contains vegetable impressions.

As also in the western country, basalt has overflowed sandstone, so near Dyraba, and elsewhere in this eastern country, the same phenomenon is exhibited. Near Tukki Tukki the effect of the later igneous agents has been to convert a sandstone or shale into a translucent pale brownish yellow brittle opal or silex resinite, of which the specific gravity is 2.03.

There are also numerous instances of the more ordinary transmutations of sandstone and shales into quartzite and flinty slate. There must, therefore, have been two periods during which trappean rocks were formed within the carboniferous region. The abundance of iron which independently exists, and which has colored and cemented many of the grits and sandstones was derived from the earlier of these igneous products; to the influence of the latter are to be attributed the numerous instances of transmuted rocks of which the fragments fill the beds of the creeks near the approach of the sandstones and grits to the older formations, as in Pallengo Creek, near the Ora-Ora river, where jasperized slates and old transmuted rocks occur in fragments with altered secondary sandstones and fossil wood.

Of the latter, it may be observed, that there are blocks and stems of trees, as well as smaller fragments of branches. The wood appears to have been chiefly coniferous. That which strews the surface has evidently been broken up from the grits and sandstones, which in many instances still contain embedded masses, even trees of considerable size.

The ferns belong to the genera *Sphenopteris* and *Pecopteris;* of the latter, one species from Glenorgie exhibits pinnules very nearly resembling P. *lonchitica* of the English coal beds. Brongniart has pointed out a resemblance of that species to the *Pteris esculenta*, a living fern of New Holland.†

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* Annales des Mines, 1822.

† Histoire des Végétaux Fossiles, p. 278.

The condition of these ferns is very imperfect; and there do not appear many which are so frequent in the shales of the Newcastle coal-beds. Stems of *Phyllotheca* are, however, not uncommon near Grafton and Chambinge.

The extent of this formation, the thickness of the sandstones, and the occurrence of fern-bearing shales induce the belief that coal exists in some abundance in this field. The lower members of the formation exhibit it, as before stated, on the northern frontier, and it appears also on what is called the Coal Ridge between the Clarence and the Richmond.

A good section of the sandstone beds is offered in a traverse from Grafton to near Stilton on the Richmond, the dip being generally to S.W., as follows:

1. Sandstones as before. (Grafton.)
2. Coarse ferruginous ditto.
3. Sandstone.
4. Shingly grit, with casts of small stems.
5. Coarse brown ditto, with numerous casts. (Forest Oaks Gully.)
6. Coarse conglomerates, with fragments of stems, three or four inches square, embedded in ferruginous clay.
7. Coarse grit passing into conglomerate.
8. Coarse soft grey grit.
9. Ferruginous sandstone in gradually rising ridges.
10. Clay ridges and low flats.
11. Reddish yellow clay and ferruginous grit, with fragments of plants.
12. Ferruginous hard grit and clay. (Myrtle Creek.)
13. Sandy ridges and ferruginous sandstone found up the creek to Stilton.

The dip in the above traverse is S.W., but S.E. seems also a prevalent point of dip. On the lower Clarence the dips vary from E.S.E. to S.E., at angles of from 5° to 10°, on the north side of the axis, and on the south side the dips are from 15° to 25°, to N.W. by W., or N.N.W. The granite about Yulgilba throws off the sandstone at an angle of 20° to S.E. The same dip, but with an angle of 25°, occurs at Ettrick, on the N.W. branch of the Richmond; at the Richmond Falls the dip is slight to N.W.; at Dyraba, the dip is N.W. by W.; and between Runymede and Tunstal, that dip has an angle of 30°. I am indebted to Mr. Child for ascertaining these variations of dip. There are others, but they are, so far as I could perceive, local exceptions due to interruptions in a part of the basin where they might be anticipated.

The junction of this formation with the older rocks on Catika Creek is interesting. Beds of hard conglomerate, in which quartzite and quartz are abundant, are interpolated with bands of sandstone, in a low cliff on a branch of the creek, and these are succeeded by beds of sandstone, in all respects identical with those about Sydney. There are also slaty fragments in other parts of the conglomerate with quartz and felsparite, lower down the creek. On the Ora-Ora River, the right bank, where I crossed it, is formed of beds of yellowish sandstone; and the ridges as well as the flats about Chambinge and nearly all the way to Grafton Flats are covered by local drift from these beds.

Metamorphic Action.

These beds have been transmuted on Palengo Creek, and near the junction of Catika and Chambinge Creeks. The undisturbed dip appears to be to S.E. In the bed of the Ora Ora, I procured rubies from the fluviatile drift. The effect of igneous action on the carboniferous beds is more apparent in the Richmond district than in the Clarence. I have a specimen from about four miles N. of Gordon Brook, which is a heavy ferruginous silicious grit traversed by seams of quartz, on which are impressions of leaves; it is impossible to believe any unaltered rock of that character would have been impressed by such remains. In the vicinity are compact felspar and diallage trap.

In another locality, although splintery anthracite is unchanged, yet near to it there are beds of bituminous shale, in which are crystalline patches filled with minute, brilliant, irregular crystals (apparently) of hyacinth.

The igneous rocks are of greenstone, basalt, trachyte porphyritic trachyte, amygdaloidal trap, and in the upper Richmond country they occupy a prominent position. In fact, the geology of that part of the field is as interesting as any that has yet been explored, and careful research, with sufficient leisure, would, no doubt, be well repaid.

Trachytic Rocks.

The principal features are the abundantly developed eruptions of trachyte, which have afforded to the elements the means of fashioning hills of most remarkable outline, imitating castellated summits, columns, pyramids and obelisks, of striking grandeur and beauty, and which I have seen even from long distances rising above the horizon in the most picturesque manner.

This rock varies from a domite to a hornblendic trachyte, and has in part the texture of the trachytes of Drachenfels on the Rhine. But there is probably little analogy between the two, except as respects age.

The appearance of these lofty natural monuments standing in groups and detached from the other hills, and their actual superficial condition, point to a remote antiquity; and from the fact, that in the conglomerates of the carboniferous formation trachyte pebbles occur, it is certain these rocks must be older than that formation, though my friend

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Dr. Leichardt told me he considered the trachytes of the Glass Houses on Moreton Bay might be tertiary. I confess that I cannot subscribe to that opinion; I believe they are as old as some of our slates, which I conceive to be of the epoch once called transition; and there is very much to assimilate them with those old trachytes of the Andes of which Humboldt has made mention.* The way in which they appear to have risen "perpendicularly under the form of steeples, (Chimborazo) or as ruined castles (summits of the Cordillera of Peru, between Loxa and Coxamarca)," is quite in agreement with the obelisks of Coreela, and the gigantic mass of Mount Lindesay, which rises to an enormous height (though very much lower than the assumed elevation of 5700 feet) and which presents the appearance of a castellated mountain.

It is somewhat remarkable that trachytic rocks which are not very general in New South Wales, do occur in some localities in groups; as on and about Macpherson's Range, and all the way, at intervals, to the northern limit of Moreton Bay. Of this I shall have occasion hereafter to make further mention.

It is probable that veins of copper and some other metals will be detected amidst these mountains. Carbonate of copper occurs on the slopes of Mount Lindesay. If my idea of the probable age of these trachytes be correct, we have an additional reason for presuming that the slates which we have seen making their appearance on the border of the carboniferous formation, underlie it all the way to the northward.

The common impression is, that the abundance of trappean currents that occur in the Upper Richmond country have flowed from this mass. It is certain, that the recent volcanos of the Andes have burst out from the trachytic envelope of their summits; but this offers no parallel with the purely trappean eruptions of the Richmond. The occurrence of mountains of basalt and of trachyte together is a very rare occurrence; where the one occurs, the other generally does not.

The discussion of this question is out of place here. I would merely observe, in conclusion, that there must have been two if not three periods of eruption in the Clarence and Richmond district, and, therefore, it is not necessary to assume any immediate alliance between the various igneous masses. But this much is certain, that the abundance of trachyte and a trachytic character of the rocks marks the intersection of the main range between Darling Downs and the County of Stanley with Macpherson's Range separating the basins of the Logan and Richmond, and, of whatever epoch, these rocks have played a very important part in the modification of the physical features of that most interesting region, in which, as I have before said, the careful investigations of a geologist with ample leisure would not be thrown away. It is observable also, that where these rocks set on, the great meridional line of New England granite suddenly bends away to the north-west and ceases to pursue a northern course; terminating that direction at the head of the Condamine, just where the granite loses its distinctive character and becomes intermixed with various modifications of felspathic character. It is equally satisfactory as to the epoch of this change, to find sandstone reposing upon these altered masses.

I do not think, however, putting aside the predominance of the carboniferous rocks, the geologist could be expected to discover any great abundance of gold, because if, as we have reason to believe, quartz, independently formed, is a general companion of gold, trachytic rocks are, notwithstanding their antiquity of origin in deep seated granitic formations and their igneous character, well known to be almost devoid of any such veins or bands of quarts as characterize auriferous regions. And although some trachytes do occur with occasional crystals of quartz, and there is diffused in trachyte an immense proportion of silica, it is pretty well determined, that if gold occurs in trachytic rocks, it has been brought up from greater depths, and is merely entangled in their fissures, and not found in beds or veins.†

In conclusion, I beg leave to append to this report a Table of seventy-two elevations on two lines of section across the Cordillera, and on a third along the Main Range thereof.

I.—*Section from the Gwydir to Grafton—(tidal level.)*

		FEET.
1.	Bed of the Gwydir at Murulleroi	888
2.	Junction of Bingera Creek and the Gwydir	934
3.	Keriengobeldi	989
4.	Myall Creek, (Dangar's station)	1,222
5.	Head of Myall Creek, edge of plain	1,742
6.	Bannockburn	1,882
7.	Macintyre River, Byron Plains	1,666
8.	Byron station	1,684
9.	Junction of Swan Brook and Macintyre River	1,921
10.	Swan Brook (station)	2,135
11.	Camp on Swan Brook	2,595
12.	Waterloo	2,770
13.	Wellingrove	2,766
14.	Clarke's Look out	3,435

* Essai Geognostique sur les Gisements des Roches, &c.—Sec. 39.

† "Ces roches renferment sans aucun doute des minérais aurifères; mais comme le fait observer M. Beudant, ces "minérais tirent leur origine du terrain inférieur au trachyte; ils semblent avoir été entrainés par cette roche lors de "son élévation; et sont plutôt engagés sous ses fissures que disposés en amas ou en filons.—A. Brongniart, *Terrains "de l'Ecorce du Globe*, p. 359."

NEW SOUTH WALES.

		FEET.
15.	Ranger's Valley	2,918
16.	Dundee	3,150
17.	Dividing range between Severn and Rocky River	3,550
18.	Bergouillee	2,764
19.	Camp on Curraldural Creek	765
20.	Junction of Do. and Boyd River	533
21.	Summit of Range above	2,227
22.	Camp at Caborda on Conjulbung Creek	225
23.	Camp at Cundarega on Baregal Creek	625
24.	Crossing of south arm, Clarence River, at Yundan	336
25.	Camp on Catika Creek	246
26.	Yallòga	1,260
27.	Ora Ora River	59
28.	Left bank of Clarence River, Grafton	17†

II.—*Section from Grafton to Warialda.*

1.	Right bank of Clarence at Grafton	25
2.	Chambinge Camp near old wool shed	78
3.	Yallòga Range at Monàm	1,223
4.	South Arm, Clarence, near Camp at Carragugga	460
5.	Legarmin	2,312
6.	Camp at Kannumbagurra	2,230
7	Summit of Range above Bickan, Newton Boyd	2,487
8.	Bickan	916
9.	Newrum, Mann's River	1,300
10.	Edge of table land, head of Jambin Creek	2,655
11.	Head of Rocky River	3,749
12.	Dundee	3,150
13.	Fladbury	3,467
14.	Yarraburra	2,877
15.	Range above sheep station	2,910
16.	Arawutta Creek	2,163
17.	Camp above	2,353
18.	Pindari	2,225
19.	Talkiva, Frazer's Creek	1,402
20.	Bukulla, Macintyre River	1,718
21.	Guranmin	1,882
22.	Corajin	1,352
23.	Warialda	1,016

III.—*Section from Dundee to Maryland along the summit and flanks of the Dividing Range.*

1.	Dundee	3,150
2.	Deepwater	3,121
3.	Bolivia Gap	3,288
4.	Bolivia	2,415
5.	Above Jump-up Creek	2,203
6.	N. end of Capoompeta	4,730
7.	Tenterfield Bluff	3,311
8.	Tenterfield	2,727
9.	Barney Downs	2,843
10.	Dividing Range between Tenterfield and Cataract River	2,903
11.	Wellington's Look-out	3,418
12.	Pass at Ballandeen	2,990
13.	Junction of tracks above Ballandeen station	2,501
14.	Camp at Nicholl's Swamp	2,302
15.	Junction of Quart Pot Creek and Dumaresq River	2.638
16.	Domes of granite at head of former	3,727
17.	Dividing Range S. of Maryland (marked tree)	2,938
18.	Maryland	2,791
19.	Hill above	3,029
20.	Sandstone on Dividing Range N. of Maryland, head of Rosenthal Creek	3,049
21.	Dividing Range between Condamine and Dumaresq River (head of latter)	3,120

I have the honour to be,
Sir,
Your most obedient servant,
W. B. Clarke.

The Honourable
The Colonial Secretary.

† By comparison with Legislative Council Barometer, Sydney - - 17
By direct measurement to river about high water mark - - - 16·9

NEW SOUTH WALES.

Enclosure 4 in No. 1.

Encl. 4 in No. 1.

COPY of a LETTER from the GEOLOGICAL SURVEYOR to the COLONIAL SECRETARY.

Geological and Mineralogical Survey.

SIR Camp, Berrigal, July 1, 1853.

I HAVE the honour to transmit my tenth tri-monthly Report upon the geological and mineralogical structure of New South Wales, which you will please to lay before his Excellency the Governor General.

It will be seen by the Report that the sandstones and trap rocks, assuming very various characters, form the general features of the country examined. The former being accompanied by argillaceous shales with fossil plants, leaves not a doubt but that these great areas contain coal and clay iron ores. The igneous rocks are remarkable for the paucity of quartz or other minerals likely to be auriferous; nevertheless I have thought it my duty to persevere in filling up the map, and describe in detail, *i. e.* topographically.

*See Page 20.

The present Report is accompanied by a map, coloured, in extension of those already sent in sections, &c.

My cart having broken down amidst the mountains of the dividing range between the Namoi and the Gwydir, I have been obliged to send the axletree to Tamworth for repair, and to make this place my head quarters for some time.

Warialda will be the nearest post town.

I have, &c.

The Hon. the Colonial Secretary. S. STUTCHBURY.

Geological and Mineralogical Survey.

Camp, Berrigal, July 1, 1853.

REPORT.

Having observed since my last Report that Euerendre is mentioned by Sir Thomas Mitchell as a locality where gold was likely to be found, I again carefully examined the country in that neighbourhood, and find no indicative to warrant the existence of the metal in question, nor further observations to make upon the geological structure of that part of the country.

Three miles N.N.W. from Thorobri there are isolated mounds of trap rock (compact diorite), similar to the Bald Hill near Gunendadi; the intermediate plains from thence to Byan Baa, are made up of the débris of whinstone and sandstone rocks.

Examined Maule's River, better known as Kihi Creek, as far as the Horse-arm Branch, the rock, wherever *in situ*, being sandstone.

From thence to the Black Mountain, north 20° east from Bidleyena (Onus), the range trends to the south-west, and is composed principally of sandstone conglomerate, the upper beds containing pebbles of green jasper; near the summit impressions of leaves, and other vegetable remains were observed in a bed of fine grained sandstone, many of them forming the nucleus of nodular hæmatite iron; and compact silicified fossil wood (jasperised) was found at the base.

On the eastern side of a mountain of the same range "black jack," a black hornblendic syenite rock, protrudes in large masses composed of felspar and hornblende; this is traversed by veins of finer grained syenite, a subsequent intrusion, having fissures filled in with crystalline carbonate of lime, the larger bearing north and south, the smaller cross fissures being at right angles, in character like that described as auriferous granite. It was carefully examined for gold, but without success. The sandstone, unlike that of the ranges higher up the Namoi (such as at Cookabiandi, Talgunda, &c.), are but slightly altered.

In examining the ranges to the south-west of Byan Baa, the sandstone appears greatly altered; on the lower levels, chalcedonies, fragments of crystallized quartz and fossil wood are plentiful.

From Byan Baa to Wallah and the Broadwater, the surface of the country is entirely composed of sandstone conglomerate, the banks of the river occasionally presenting good sections, especially at Wallah.

At Doorawong (Dr. Milner's) a ridge of trap rock extends itself along the line of the river in a south-easterly direction, backed by sandstone for ten miles as far as examined.

The banks of the Namoi and its tributaries present numerous instances of the deposit of calcareous tufa amidst the sandstones.

From Wallah I traced up Bibula Creek (a tributary of the Namoi) in a direction north 30° east, for the purpose of further examining the Nundawar range, which divides the waters of the Namoi from those of the Gwydir. For five miles the plains are alluvial; from thence to Goonoo-goonoo, a deserted station lying under a double topped mountain named "Dirreah," the country consists of rough rocks of sandstone, with the exception of a belt of trap half a mile in width, which protrudes itself between the alluvial plains and the sandstone rocks before mentioned.

From general observation, the main range appears to be trappean, with outlying spurs alternating with sandstone ridges; in many instances the intrusion of the trappean formations are visible, having occasionally a belt of syenite (containing much hydrous oxide of iron, and glassy felspar),—such was observed on the south side of Dirreah. The summit of the singular mountain, Ningadoon (Mount Forbes of Mitchell), is of columnar, semi-basaltic altered sandstone; the high pinnacled rocks and extensive flat-topped ranges to the east exhibit the same character, especially the latter, which have a bold precipitous wall of columnar formation.

To the north of Dirreah there is a distinct basaltic hummock; on the main range east of Ningadoon, two similar shaped rocks occur, which, together with Paul's Pinnacles, are basaltic, as also most of the grotesque peaks frequent upon this range.

The trap rocks of the dividing range are various in their constituents, consisting of compact diorite, with and without black olivine (fayalite), and white olivine (hyalosiderite), and in many instances containing both varieties, diorites with glassy felspar, dolorite, porphyry, &c., also chalcedonies, agates, and semiopal.

Several of the trap rocks occurring in the creek, when broken, were found to contain pea iron, a variety of limonile of the size of buck shot.

In washing the débris found much iron sand (ilmenite and iserene), pea iron, minute chrysolites, and chrysoberyl, and rarely acicular crystals of rutile.

The western side of these ranges are flanked by sandstone and conglomerate rocks, the latter appearing in distinct beds forming terraces, the intervening portion being fine grained sandstone suitable for building purposes.

In the course of my examination of these extensive coal bearing strata (for although coal is not visible at the surface it most undoubtedly occurs at various depths, judging from the shales and fossil vegetable remains they contain), this is one of the best sections I have seen; and is of great interest, as exhibiting in consecutive order (four times repeated) evidence of periods of comparative rest during the epoch of submergence and the formation of the sandstone series, each bed of conglomerate being the index of the time at which the débris of the land accumulating in the surrounding ocean attained that shallow depth at which the storm and tidal waves would have the power to separate the larger from the smaller fragments of stone, bringing the former to the surface by attrition, producing the rounded pebble form, and arranging them nearly in horizontal beds over vast areas.

Many of the sandstone ranges are flat topped, with precipitous walls or cliffs, as near Goonoogoonoo, at a place called "Yawalbra," where the wall on either side of the creek is not less than two hundred feet in height, the north-western side being perpendicular, while that opposed to it is not so precipitous, the base of these cliffs, also the bed of the creek, being trap rock (compact diorite).

A Sandstone, B Conglomerate, C Trap.

The conglomerate rocks of the upper part of Bibula Creek, moved from their original site are of immense size, composed of pebbles of various coloured jaspers, compact felspar, leelite, quartz, lydian stone, and metamorphic slates, *but not a particle of granite, syenite, or trap rock*, the cement being the same material highly comminuted with a small portion of oxide of iron. A brecciated rock similar to that of Euerendre was occasionally met with amidst the trap formation.

On my return, after examining the sources of the Bibula and other creeks that take their rise from this part of the Nundawar range, I was informed that gold had been found by a shepherd in the Bullowa or Goor Creek, but from the nature of the country through which it passes I place no credence in the statement.

In continuing my examination, from the Broadwater, of the Namoi to Terryerah, and from thence in an easterly direction towards Mount Forbes and Narrabri, the country is sandstone.

On the south side of the river near Narrabri, the flats are covered with waterworn compact hæmatite iron.

Having traced the Namoi thus far down from the Teribrele Creek without having found gold or other metal of economic value, with the exception of iron, and that not sufficiently concentrated for mining purposes—and with a firm belief that gold will not be found in the Namoi, with the exception of such as might be drifted from the Peel into the upper parts of the river—and the country to the west presenting nothing but plains, not likely to afford geological features of sufficient importance—I changed my route to the northward for the

NEW SOUTH WALES.

purpose of crossing the mountains, and examining the country to the north-west of the great Nundawar range.

Proceeding in a north-westerly direction to Gallatherer (Lloyd's), situate on Lobster Ponds, I passed over plains composed for the most part of the débris of whinstone and sandstone alternating and lying parallel, their bearing being east and west.

To the south-east of Gallatherer from some slightly elevated ridges I obtained specimens of opalized wood (lithoxylon), eisenkiesel, and doloritic whinstone.

To the N. N. W. of this station there is an isolated hummock, " Ballyran, "composed of vesicular trap, probably that alluded to by Mitchell when crossing these plains in search of the " Kindur."

In tracing up the Lobster Ponds in an E. N. E. direction, the plains presented numerous waterworn pebbles, principally jasper,—in a north-easterly direction I crossed plains covered with fragmentary diorite, to Lloyd's Nundi station, situated on the Meadow Ponds, the same character still continuing.

From this station to the Wee Talibi the surface of the country is composed of loose quartz and jasper pebbles, together with fragments of trap. Traced this creek upwards until opposite Mount Frazer, " Mooriwal " of the natives, and encamped near a small waterhole the sides of which were composed of spheroidal desquamated trap amidst loose earth, in every respect similar to that at Gillalambie on the Wee Taliba Creek, a tributary of the Castlereagh, as described in a former Report (No. 8.)

North from this place a small hill of hard diorite rises from the plains, and from thence I examined Mount Frazer, a spur from the main range, together with Ningle Ningle and Ningledee, also elevations of the same spur, and which are wholly composed of hard diorite.

Proceeding in a north-westerley direction, the country to Peacumboul, on Courallie Creek, was found to consist of diorite.

On my return to camp washed soil in the waterhole before mentioned, and found garnet, white topaz, hyacinth and amethyst, but very minute; the sandstone of the creek above the trap was highly ferruginous, containing nodules of good iron ore, varying in size from the smallest particle to that of several hundredweight. It is also traversed or reticulated by veins of oxide of iron; standing up in relief above the sandstones, there is a conglomerate evidently of modern age, containing numerous fragments of the older conglomerates and trap rocks, this modern conglomerate when pounded was found to contain similar gems to those found in washing the soil of the creek, being identical with the fact described as occurring at Bone Bone in a similar formation, and mentioned in my 8th Report.

From thence proceeded to Collymangle (Lloyd's); the country is similar in every respect to that before described as lying between the Weetaliba Creek and Mooriwal.

In tracing up the Collymangle Creek, which passes up a gorge between Courada and Boonbourienbry, the whole of the valley consists of sandstone and conglomerates, the components being precisely similar to those described in my ninth Report as occurring at Yarangariwundi, and traversed by dykes of trap rock.

The northern range, of which Courada is the principal feature, is of trap rock and highly transmuted sandstone, the latter having become porphyritic, containing crystals of glassy felspar. The south-east end of this range is crested in a remarkable manner not unlike the denticles of a comb.

The southern range, Boonbourienbry, in common with the neighbouring high ranges, exhibit parallels (horizontal) of stratification, while the upper parts in many places present perpendicular cliffs or semi-basaltic character, the sloping flanks being made up entirely by the debâcle.

Summit of Boonbourienbri, from the base of Courada. Dip 3° east.

The dividing range separating the numerous tributaries of the Namoi from those of the Gwydir in this locality, is composed of a very hard basaltic whinstone; in the course of this examination abundance of fossil wood was found loose upon the surface.

The various lines of disruption give origin to small springs of water, not sufficient for the maintenance of cattle and sheep, except in wet weather, but might easily be concentrated and collected by means of wells and reservoirs, thereby rendering those immense tracts of country (the plains) available, which at present, from scarcity of water, are not habitable.

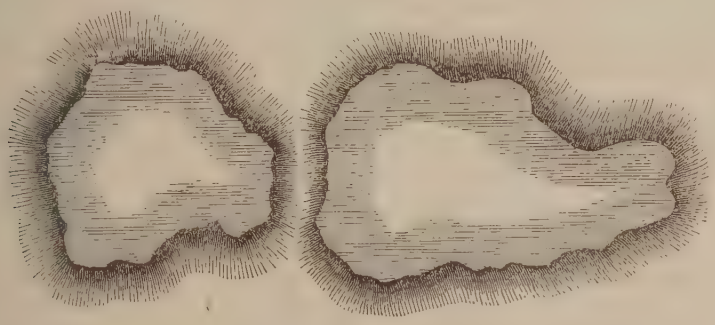
Returning to Collymangle I next examined the smaller ranges in the vicinity, which are trappean; one mile north 5° west found some curious and interesting varieties of semi-opal, containing spheroidal hæmatite iron ore, together with the varieties hyalite and girasol or fire-opal.

In a direction north 40° east towards Berrigal, the country consisted for two miles of a succession of trap ridges, sandstone succeeding, having a breath of two miles, then a belt of trap rock one mile, the remainder of my route to Berrigal being over sandstone.

Following the Berrigal Creek upwards to Mount Riddell, sandstone with alternating shales, many of which would form whetstones, the finer grained sandstones being suitable for building and other purposes; the bedding is horizontal, its grindstone qualities have been taken advantage of by the aborigines for the purpose of shaping their mogos or stone hatchets. It is interesting from retaining upon its surface some ancient lithoglyphs or engravings of foot-prints and rude representations of animals, which the natives state were made long before the white man came among them.

Upon reaching Mount Riddell (Waa), so named from a remarkable deep waterhole, of which there are several, situated in a precipitous gully, apparently a fissure in the mountain; these holes are never dry, generally overflowing, the water falling over an inclined plane at an angle of 45°, being the dip of the strata to the north; during floods large boulders are carried in and out to other holes, from whence they are again driven into the creek. The rock is altered sandstone, (porphyritic), with crystals of glassy felspar, and on the heights assume a semi-basaltic columnar form.

About half a mile south of Waa two other waterholes, or rather one, with a natural bridge or rock crossing it, called by the blacks Mill-bullah (two eyes.)*



Another series of holes lie west of Mill-bullah, falling precipitously into a deep gulf; they are extraordinary in regard to the tortuous channels from one hole to another and the smoothness of the sides of the rock through which the water passes, being deeply undercut at the sides and smoothed by the trituration of the boulders and large stones in their downward course.

The main rock is of compact felspar, porphyry, with crystals of glassy felspar, the higher portion or crest being composed almost entirely of glassy felspar, so unequal in the degree of its crystallization as to present crystals varying from one quarter of an inch in diameter to those of the smallest visible size, with a few spots of dark green augite; this rock is vesicular, the interior of the cells being lined with very minute crystals of ice-spar, (adularia.)

A mountain bearing 320° from Berrigal, distant about two miles, affords the following section:—sandstone for three quarters of a mile, a boss of hard whinstone half a mile, conglomerate to about three-fourths of the way to the summit, next, laminated trap with vesiculæ; the summit a linear flat topped ridge, is composed of very hard diorte whinstone with numerous crystals of fayalite and hyalosiderite. From this ridge Mount Frazer bore 257°. The ridges to the north and north-east are sandstone and conglomerate.

Crossing the dividing range, separating the water of Terryhiehie Creek from those of the Rocky Creek, in a direction south 70° east, the rock of the lower land is sandstone unaltered, nearly horizontal; in ascending they are found to be metamorphosed and hardened in degree until arriving at the fifth mile where it exhibits a compact flinty character, stratified, with dip to the south-west, angle 7°, succeeded by conglomerate; trap rock (compact dolorite) extending over the whole table land of the ridge; the descent to the eastward is similar to the ascent from the west. Varying my course north 80° east for the purpose of reaching the Horton at its nearest accessible point, a succession of sandstone ridges presented themselves, intersected by four parallel ridges of granite extending northward from a range lying to the south. Within half a mile of the junction of Mocgera Creek with the Horton there are small bosses of imperfect serpentine.

On the western side of the Horton, half a mile below the junction of Moogera Creek, a dry gully exhibits a section of coal measure, argillaceous shales with bands of ironstone, and veins of calcspar thrown into nearly a perpendicular position, and exhibiting a series of

* It is a remarkable fact, considering the height of these holes, and the water having but one course downward, that they should contain fish and crayfish (astacus.)

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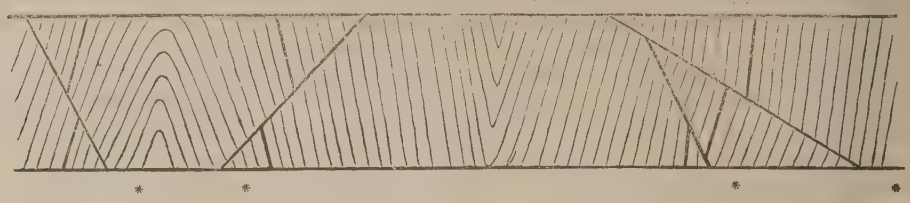
small faults or heaves, the western or upper end of which gave evidence of a focal point of upheaving force, the stratification being thrown over, forming an anticlinal arch. Amidst the shales found two specimens of lepidodendron.



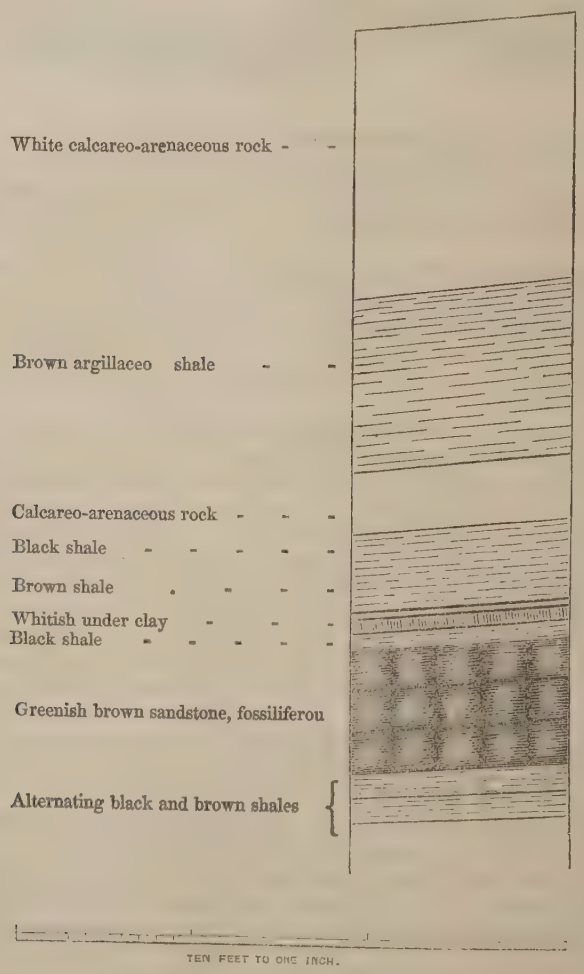
Half a mile north, and for an extent of two miles, are parallel beds of limestone bearing north-east and south-west with their dip westerly; the limestone is oolitic in large grains, formed by concentric laminations around a nucleus, and contains crinital fragments; at a bend in the river the limestone is much altered, partially converted into an imperfect serpentine; these, the lowest beds observed, contain many fossil shells; amongst them an Orthoceras leptæna, and an unknown bivalve.

The mounds and débris of the intermediate flat lands are eurite, with flesh colored crystals of felspar.

The country to the N.N.W. until opposite Pallal is sandstone backed by a ridge of trappean formation, a spur from which, near Pallal, has caused the river to form an elbow to the south-west and then again to resume its northerly course.

From Eulowrie a trap ridge extends itself to the Bingera range, flanked on the northern and southern sides by sandstones; from thence to the junction of the Gwydir with the Horton nothing but sandstone, conglomerate, and argillaceous coal measure shales are to be met with.

About half a mile north of Pallal there are cliffs of white calcareo-arenaceous rocks in thick beds with intermediate black shales, and a singular stratum of coarse greenish brown sandstone, much jointed, giving to its weathered surface a desquamated angulo-globular appearance.



In this rock are numerous fragmentary shells and corals, evidently the débris of some older rock, (qy. limestone,) or more probably the rejectamenta of the sea drifted into shallow water.

The organic remains found to occur in a few stones brought away, furnish the following list; and I have no doubt, were time bestowed upon the search, the list would be much augmented.

Pisces,	A fragment of the jaw of a fish.
Crustacea	Asaphus (?).
	Calymene, tail parts only.
Annelida	Serpula.
Cephaloda	Bellerophon globatus.
	Orthoceras.
Gasteropoda	Euomphalus.
	Turbo.
Lamellibanchiata	Orthonota.
	Mytilus.
	Posidonia (?).
	Avicula.
	Nucula and others not determined.
Brachiopoda	Orbicula.
	Producta.
	Leptæna, several species.
	Orthis.
	Spirifera disjuncta.
	,, several species.
	Atrypa.
	Terebratula.
	Hypothyrus.
Echinodermata.	Cyathocrinus,
	portions of stems.
Polypiaria	Turbinolopsis.
	Favosites (?).
	Glauconome bipinnata.
	Fenestilla.
	Retepora and others not determined.

Three-quarters of a mile south from Mitchell, now Ottley's station (Bangheet), argillaceous shales present themselves in a dry creek, and in fact in most of the creeks the banks expose similar features.

Crossing eastward to Molroy, and from thence northward, (leaving the boundary of the porphyry to be mentioned hereafter,) in a creek near the river sandstone shales occur bearing north 20° east, dip 70° west, angle 54°, much tranversed by calc spar, resting upon which was a very singular conglomerate composed of angular fragments of shale cemented by a coarse sand; four hundred yards up the creek the dip was completely reversed, the former being north 70° west, and the latter north 20° east; in many instances the sandstone assuming a porphyritic character, while scattered about were numerous boulders of beautiful vitrified conglomerate similar to those found near the Sappa Bulgas.

The strata in the course of fifteen miles between Gineroy and Molroy are so strangely contorted as to exhibit bearings and dips in almost every position; the following direction and angle of slope will show to some degree the extent of the dislocation, and approximate to a law in the upheaving forces and their direction.

Direction of dip.	Angle.
N. 70° W.	54°
N. 20° E.	45°
N. 30° E.	32°
N. 45° E.	20°
S. 80° W.	56°

Half a mile north of Gineroy, a creek presents similar sandstone, conglomerates and shales, to those described at Molroy, dip east, angle 4°; the plains are made up of débris principally quartz and jasper, the latter very abundant and probably derived from the neighbouring igneous rocks; bosses of trap occurring occasionally near Gineroy; and at Kelly Colty's Springs the vitrified conglomerates show themselves again in great force, and occasionally as far as Warialda.

The ridges near the township of Warialda are composed of very singular and grotesque tors of sandstone; such also is the case with "Tigalah" Rodd's mountain of the map, lying eight miles south.

Proceeding up the Horton from Eulowrie the surface is sandstone to the crossing place, eight miles distant, where it is regularly stratified, dip south-east, angle 4°.

Leaving the Horton at this point and crossing to Cobbadah, half a mile east of the river, are bosses of trap rock at one and a half miles, in a small creek sandstone with porphyry and trap; ascending Bell's Mountain from the base to the plane of the first terrace fine shaly grits, the terrace being formed of a band of very imperfect serpentine, then shaly grits to the second terrace, the summit of which is trap rock; near the southern part of the mountain and in the descent from the south-east, the sandstones dip to the south-west and west in thin beds, only shown in the small creeks or water courses, angle 12°, generally

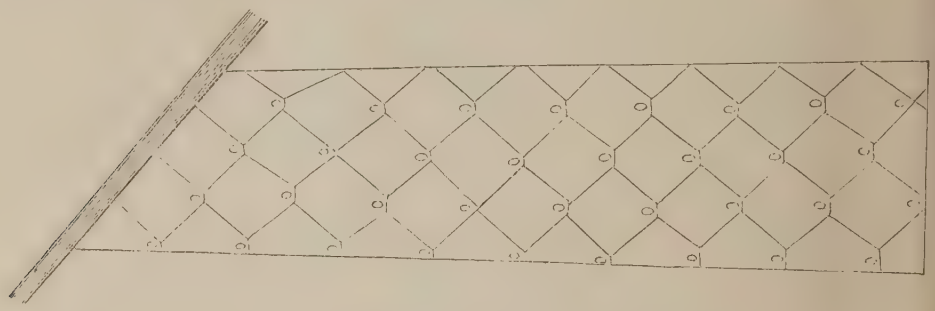
NEW SOUTH WALES.

covered by trap rock, evidently the overflow from bosses of trap which present themselves as the upheaving cause.

At the crossing place of the Oaky Creek, four miles from Cobadah, sandstones and shales with a dip west of south, angle 5°, these shales are highly aluminous and would answer well for the manufacture of alum.

Having found several specimens of lepidodendron in the argillaceous shales and sand stones, and believing that they have not hitherto been figured as occurring in the Australian coal measures, I take this opportunity of doing so for the purpose of calling attention to these important extinct vegetable remains.

I have not ventured to name from memory the species of fossils (if identical with published species), contenting myself with the mere enumeration of the genera, until I have the opportunity of consulting works of reference.



Lepidodendron cast of.

From the Cobbadah Creek, and for eight miles on the road to Bingera, sandstone shales and occasional bosses of trap rock are met with; at this point serpentine as a main rock comes in.

Bingera.—The whole of the country in which mining for gold is now carried on is of serpentine as the principal rock, appearing in all its varieties of constitution and colour, from the common schistose to the compact noble serpentine.

Its colours are as varied as the whole of those of the British isles, from the dark chocolate brown with red veins to the various shades of green with light green veins; some are veined with silky amianthus and coarse asbestos; it contains diallage, bronzite, actynolite, quartz crystallized and in veins; semi-opal occurs from the adhesive absorbent cachalong (in reniform masses) to wax opal. In addition to the above-mentioned minerals, the serpentine is penetrated by a close grained syenite standing in irregular tors; on the western side of the syenite is a dark green compact felsparite with distinct crystals of albite (cleavelandite), the green colour resulting from hornblende, the weathered surface exhibits the cleavelandite in large well defined crystals, a considerable quantity of iron ore (chromite?) occurs in isolated masses.

I was disappointed in not finding or hearing of the existence of any native, or ores of, copper, almost universally associated with such rocks in other parts of the world, and it would be singular if this should be the exception.

I did not trace the eastern extent of the field nor enter into the detail of its gold produce, knowing that it had been examined especially with the latter view by the Reverend W. B. Clarke. Gold appears to be very generally dispersed through the soil, and much of it on the surface on the flat lands.

At present there does not appear to me (so far as I could observe) to have been any well conducted trial below the surface, probably from the want of sufficient water; on this account it will so long prove precarious until some well organized system is adopted for establishing reservoirs and aiding the collection of water by mechanical means.

At Collett's Valley the serpentine ceases and gives place to porphyritic rocks, which cross the Gwydir at this point and prevail as far north as Molroy.

S. Stutchbury.

No. 2.

No. 2.

Extract of a DESPATCH from Governor-General Sir C. A. Fitzroy to the Duke of Newcastle.

(No. 5.) Government House, Sydney, January 15, 1854.
(Received May 27, 1854.)

"The Legislative Council of this colony having at length concluded its protracted session, I am now enabled to forward to your Grace transcripts of the several Acts passed during the session.

* * * *

Sub-Enclosure in Enclosure 4 in
Sir C. A. Fitz Roy's Despatch of
18th December 1853.

LIVERPOOL PLAINS.

Reference.

- Alluvial Debris Whinstone and Sandstone.
- Sandstone and Conglomerate.
- Limestone (Palæozoic).
- Metamorphic Rocks including Mica.
- Chlorite Hornblende Greenstone and Clay.
- Slates, compact Felspar Quartz Rock etc. all stratified.
- Serpentine Rock.
- Basalt, Porphiry etc.
- Granite, Syenite, Pegmatite.
- Localities where Gold has been found.

John Arrowsmith litho.

NEW SOUTH WALES.

"'17 Victoria, No. 23.—An Act to amend the Act for regulating the Management of the gold fields.'

"During the session of 1852 the Legislative Council appointed a select committee to inquire into the working of the Gold Fields of this colony; and the result of their report was greatly to modify a Bill which had been previously introduced by the Government for regulating the Gold Fields. The Act as so passed caused considerable dissatisfaction amongst the mining population, and several numerously signed petitions were presented to me, praying for its amendment in certain particulars. In the early part of the present session I accordingly caused a Bill to be brought in for amending those features of the previous Act which appeared to be received with disfavour by the public. A second committee was thereupon appointed, to whom the Bill was referred; and the Act in its present state is the result of their deliberations. It amends the Act of 1852 in several particulars, the chief of which are:

"1st. It returns the licence fee.

"2nd. It exempts from the payment of the licence fee those classes of persons not engaged in searching for gold, alluded to in the second clause.

"3rd. It permits foreigners to search for gold on the same terms as British subjects, in the same way as had been done under the regulations originally issued by the executive Government. There are two or three other enactments of a minor character which scarcely merit special notice."

This Act will be found printed at page 178 of Appendix to this Paper.

16 Vict. No. 43. See Page 178 of Papers presented to Parliament 16th August 1853. "Gold, Australia."

No. 3.

No. 3.

Copy of a DESPATCH from Governor-General Sir A. Fitzroy to the Duke of Newcastle.

(No. 31.) Government House, Sydney, February 21, 1854.
(Received June 27, 1854.)

My Lord Duke, (Answered, No. 12, July 13, 1854, page 71.)

With reference to your Grace's despatch, No. 100,* of the 21st July last, transmitting to me copies of a correspondence with Sir R. Murchison on the subject of his claim to the credit of having at an early period pointed out the indications of gold in Australia, I have the honour to report that I laid these documents before the Legislative Council in its last session, with a view to their being printed, and thus obtain that publicity which I presumed it to be Sir R. Murchison's desire should be given to them; and I have now the honour to inclose a copy of a letter addressed to the Colonial Secretary by the Rev. W. B. Clarke, on the subject of this correspondence, which I deem it only an act of justice to Mr. Clarke to request your Grace to read.

I have, &c.
CHARLES A. FITZROY.

His Grace the Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 3.

Encl. in No. 3.

From Rev. W. B. Clarke to the Honourable the Colonial Secretary, on the subject of Correspondence between Sir R. I. Murchison and the Colonial Minister, relative to anticipations of the Discovery of Gold in Australia.

Sir, St. Leonard's, December 21, 1853.

I understand that a communication from His Grace the Duke of Newcastle, covering a correspondence between Sir Roderick Impey Murchison and the Colonial Minister, relating to the claim of Sir Roderick to the honour of having first in Europe predicted the existence of gold in Australia, has, by the direction of his Excellency the Governor General, been laid upon the table of the Legislative Council, and by the Council has been ordered to be printed.

As I am informed by that document that Sir Roderick Murchison complains that his name was not mentioned in the first paper bearing my signature, forwarded by His Excellency the Governor General to the Colonial Minister, in reference to the gold

* Page 43 of Papers on Gold Discoveries in Australia, presented to Parliament by Her Majesty's command August 16, 1853.

NEW SOUTH WALES.

discoveries in this colony, and which was originally printed by me in the Sydney Morning Herald of 24th May, 1851; and, furthermore, as Sir Roderick also states, that the first notice *in print* by me of the existence of gold in Australia, bears date 28th September, 1847, some time subsequent to the publications of Sir Roderick on the same subject; and as an anonymous writer of a note appended to an article in the Quarterly Review, which article had nothing whatever to do with the subject of the note in question, has taken occasion to make injurious and insulting observations,* in ignorance of the exact facts of the case, reflecting upon myself and others in claiming credit which, he says, does not belong to me or them, but only to Sir R. I. Murchison, for what I "and others" have done in this colony respecting the predicting and anticipation of Gold Fields, I deem it my duty to request that his Excellency the Governor General will be pleased to sanction the publication of this communication in connection with the correspondence of Sir Roderick Murchison and the Colonial Minister, with a view of offering explanation of any seeming inconsistency between any claims made by Sir Roderick and those which have been alleged to be preferred by myself; and as to the reason why, in a paper that has been honoured by the notice of the Colonial and British Governments and Legislatures, I omited allusion to the publications of my illustrious friend.

1. I beg leave to state that the object which I had in view in writing the paper published May, 1851, was merely to justify the opinion I had expressed before to his Excellency the Governor General, the Honourable the Colonial Secretary, and other influential persons in the colony, respecting the abundance of gold in this territory, by reference to facts, which I considered as history, relating to the elevations of gold-bearing localities in the Ural Mountains; it having been confidently affirmed in communications made to the Government that the elevations of the mountains in this colony are not sufficiently great to justify the opinion I had expressed.

My remarks were committed to paper, *currente calamo*, at a time when I had no works of reference to which I could appeal and could only write from memory, in order to be ready for publication on the morning of the birth-day levee, on which there is always a considerable assemblage of colonists from the country in Sydney; and it was not supposed by me that those remarks would possess any but a local interest. Having previously, in 1847, and on subsequent occasions up to the time of that levee, quoted Sir Roderick Murchison with reference to his experience in the Ural, and his views respecting Australia, I did not consider it necessary to make especial mention of him in a paper which I could not illuminate by distinct references, from want of means, and, therefore, I made a mere general allusion to the facts which I had necessity to introduce.

As the article found its way, without any assistance from me, into the English prints, and was by his Excellency's provision forwarded to the Colonial Minister, it also was included in the papers published by order of Parliament in the Blue Book. Had I been aware of the probable honour which the paper would attain, I would certainly have guarded myself against any imputation of avoiding the mention of the distinguished author to whose history of the Ural I was indebted for my knowledge of some of the facts I have cited. But I had done all I could, as it appears to me, to remove any *just* imputation of the kind, by forwarding to Sir Roderick, on the day of publication, a copy of the Herald in which my paper appeared, with a private letter, in which I stated that I had made "silent mention," of *him*. And as I had also forwarded my pamplet on the subject of gold, in which there was more than one distinct allusion by name, to Sir Roderick, I cannot but consider that there is no ground for any of the surmises which some of Sir Roderick's admirers have made respecting my proceedings in Australia, and especially for the unwarrantable use of my name in the Quarterly Review of March, 1852. It is right that I should add, Sir Roderick disclaims the authorship of the article in question. I may also state, that the only paper on the discovery of gold in Australia which I have contributed to the press in England was forwarded by me to Sir R. I. Murchison, that it might *by him* be submitted to the Geological Society, so careful have I been to avoid all over-anxiety as to my own position in this question. An "*abstract*" of that paper was published by the Society in its Proceedings. (Q. J., vol. viii.) I have never willingly denied, nor in any way wilfully failed in the respect due to Sir Roderick Murchison for his long and eminent labours, his patient and skilful investigations in Geology, or for his conclusions in Europe respecting the auriferous character of a country which he has never seen. Nor could I, without deserving a severer jealousy than that of which I have complained, withold whatever credit is due to Sir Roderick's skill or judgment, seeing that I owe to him, as well as to other persons† acquainted with the Ural, much valuable information on the auriferous

* One could scarcely believe that the "*certain* Rev. W. B. Clarke" of that number of the Quarterly Review is the *same* Rev. W. B. Clarke whom Sir R. I. Murchison honoured by special mention in connection with Geology and Australia, in his anniversary address before the Geological Society, of February 18, 1842; and whom, also, he again mentioned favourably in his own contribution to the Quarterly Review in September 1850. But it is so.

† From my own brother, who had travelled extensively on service, in Russia, and from the statements of Russians who had visited Sydney, I had derived some information, firstly, as to the geology of the Ural, and secondly, as to the resemblance of some parts of this Colony to the Ural; but I did not draw upon these sources, because they could not be subjected to such a comparison as I wished to make, and the abstract of M. de Verneuil's paper was the first document I ever heard.

conditions of the Russian mountains, although I have had much to complain of on the part of some anonymous assertors of the claims of Sir Roderick, I have in years past, and recently, received from him too much consideration, not to make the present communication a matter of business and duty rather than of personal satisfaction.

2. As respects the second point involved in the appeal of Sir Roderick I. Murchison to the Colonial Minister, namely, the *priority of publication* of views anticipatory of the late discoveries of Gold Fields in various parts of New Holland, I beg to request that His Excellency the Governor General will do me the honour of allowing me to make a further explanation.

I have, then, to state, that I have never yet seen some of the publications of Sir Roderick in connexion with gold with Australia. It was not till near the middle of 1851 that I ever heard of them; and the information upon which I relied in a comparison of the geology of the Ural and Australia, in September, 1847, to which Sir Roderick alludes, was found by me in a foreign journal, and not in any publication from an English press, or bearing Sir Roderick's name, although it was written by one of the companions of that illustrious geologist.*

The object of that comparison is so obvious, that no one in 1847, or since, could derive from it any just opinion but this, that I was anxious to place before the public in Australia at that time positive proof, by the way of comparison, that this country is what it is now determined to be by experience.

As to the dates of certain *printed* documents, I have no desire to diminish in the slightest degree the value which Sir Roderick assigns to them. Nor can I desire to depreciate the importance of his communication to the Earl Grey in the year 1848.

But, I trust I shall be allowed to claim equal value for my own communication to His Excellency the late Sir George Gipps, on the 9th April, 1844,† to Members of the Legislative Council of this colony in the same year, and to other residents in this colony two years before, respecting my own anticipations of gold, which were derived, not from such comparisons with the writings of Sir R. I. Murchison as that gentleman has mentioned, but from my own examination of the geology of New South Wales, and from personal discovery, in 1841, that its rocks are auriferous.

Without, then, wishing in any way to detract from the independent merit of my illustrious friend, or to deny the advantage in maturing my opinions which I may have derived from his accomplished studies and extensive researches in Russia, I desire, finally, to record here, that the only claim I have *hitherto* preferred is to have been the first person in Australia who announced, generally, as indicated upon geological principles, combined with personal experience, that it is a rich auriferous region; and I do not conceive that in commonjustice (as respects any claim advanced out of the colony), this will be denied; for it is utterly impossible that any information from any other writer could have been obtained by me in 1841,—or that in 1844 I could have profited by the publications of Sir Roderick, especially from those which I have not seen, between 1844 and 1848,—or that I could have derived any knowledge from previous discoveries by the Count de Strzelecki, seeing that these discoveries have only been made known by letters to his friends, since the working of the Gold Fields, in 1852 and 1853.‡

Dec. 21, 1853.

Having had the honour of taking a considerable share in the development of the auriferous regions of this territory, under his Excellency Sir Charles A. FitzRoy's able administration, I rely on the candour of the Governor General to permit this vindication of my right to be considered as having been connected with the question of gold in Australia from the year 1841, to be placed on record in connection with the just claims of Sir Roderick Impey Murchison as the anticipator and the predictor ofgold in Australia, from the earliest period to which he bears testimony.

And I have further to request, that his Excellency will be pleased to have appended to this communication an extract from the evidence which I gave before the Committee of the Legislature Council on the Gold Fields on 24 September, 1852.

I have, &c.

To the Honorable the Colonial Secretary. (Signed) W. B. Clarke.

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* *Vide* preceding note.

† Had I been aware of the probability of future discussion on such a point, I would have written to Sir George Gipps, instead of taking the gold to him and personally communicating my opinion.

‡ Vide the Count's letter to Mr. Walker, in *S. M. H.* of 14 June, 1853, dated 25 Nov., 1852. It now appears by this, that not only had the Count appealed to Sir G. Gipps in 1839 or 1840, but to the Home Government in 1843, in each case without success; yet in a subsequent letter to Capt. P. P. King, R. N., he states, that he thought so little of it in an economical point of view, that he did not notice it in his work on the Colony 1845. It is now clearly demonstrated, that no announcement would have obtained attention but for the excitement which had been created by the Californian discoveries.

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EXTRACT from Minutes of Evidence taken before the Select Committee on the Management of the Gold Fields, Friday, September 24, 1852.

MEMBERS PRESENT:

The Colonial Secretary.	Captain King, R.N.
The Solicitor-General.	Mr. Macarthur.
Mr. Cowper.	Mr. Suttor.
Mr. Holroyd.	Mr. Wentworth.

JAMES MACARTHUR, Esq., in the Chair.

The Reverend W. B. Clarke, M.A.

24 Sept. 1852.

The Reverend William Branwhite Clarke, M.A., called in and examined :—

1. *By the Chairman.* You have been recently employed in exploring the country with a view to the discovery of gold fields?—Yes, I have been employed in a geological survey, in connexion with that discovery.

2. Will you be kind enough to state to the committee to what part of the country your attention has been more particularly directed?—I explored the basin of the Shoalhaven river, and the country comprised in the squatting district of Maneroo, with a portion of the Murray squatting district, and the country intermediate between the Shoalhaven and the Murrumbidgee rivers, embracing the whole or parts of the following counties, viz.—Argyle, King, Murray, St. Vincent, Selwyn, Wallace, Beresford, Dampier, Combermere, Wellesley, Howe, Auckland, an area of about twenty-three thousand square miles.

3. What was the extreme point to which you travelled to the southward?—To about 37° 10′ south on the meridian of Delegete Hill, and to about 147° 50′ east on that parallel. My further western point beyond the boundary was on the left bank of the Mitta Mitta River; and my further eastern point was on the coast about Twofold Bay.

4. Will you state at what parts of the country the Gold Field is most likely to be workable?—I have already laid before his Excellency the Governor General a series of Reports on the subject; in these I have pointed out the probable future importance of the country along the Mitta Mitta, the Delegete, and the Bendoc, and Crac-en-bac Rivers; and of that between Lake George and the Murrumbidgee. I have also stated that gold has been found distributed, in a general way, over at least sixteen thousand square miles of territory. I doubt not, that in this extensive area there must be many localities richer than the rest, though, of course, there must be localities where it does not exist in any considerable quantity, if at all. This region has not yet had a fair trial, not having been explored with respect to gold except by myself, or partially by others whose numbers are too limited to ascertain its capabilities.

5. Your attention had been very much directed to the geological formation of this country, previously to these exploratory trips?—Yes, I had previously surveyed considerable portions of the following counties, and nearly the whole of some of them, viz:—Camden, Cumberland, Cook, Westmoreland, Northumberland, Durham, Gloucester, Brisbane, and some parts of Hunter and Roxburgh. My attention has also been directed to a study of the general geology of Australia.

6. Have you had collections of rock specimens from various parts of the country in a northerly direction?—Yes.

7. Will you be kind enough to state what is the farthest point in a northerly direction from which you have received specimens?—I have had different collections of rocks sent to me from the whole of the country as far as Wide Bay. I have also had collections, under examination, which were made during the exploring expeditions of Sir T. L. Mitchell, Dr. Leichhardt, Captain Stanley, Captain Blackwood, Mr. Kennedy, &c., and I have obtained much information and numerous specimens from others, so that I have been able to study the general character of the mineral formations of the country between this and Cape York, and the Gulf of Carpentaria. Several thousand specimens of rocks and fossils have thus been at different times submitted to my examination, illustrated by the geological notices in the various accounts of the expeditions. I have also made extensive collections during my own investigations.

8. From examinations of these collections and general observations of the geological structure of the country, have you formed any opinion as to the probable extent of the Gold Fields?—So far as I have been able to judge, I believe the mountains separating the waters flowing to the coast and to the interior, all the way to Cape York, are made up of the same mineral formations which obtain to the southward. To this chain of mountains, from the western and southern parts of which Count Strzelecki collected specimens which he exhibited to Sir R. Murchison, the latter geologist assigned the name of the "Australian Cordillera." Those specimens I never saw, but I have had numerous collections since from the western country, beyond the limits of my own exploration.

9. The same mountain range extends all the way to Cape York?—I have no doubt that the "cordillera" extends throughout. Dr. Leichhardt placed in my hands for examination fossils from the Burdekin River, and I found them to belong to the same epoch as the auriferous formations which I have since found to the southward.

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10. Is there not, therefore, a strong probability that gold will be found the whole way?—The probability is, that gold will be found on the flanks of the "cordillera" in various localities, all through its range, wherever the formations I allude to are exposed; and if you connect with what I have already stated the fact that the islands of the Indian Archipelago are auriferous, there can be no doubt that the same mineral formations are continuous throughout. I found among the collection of rocks made for me by Captain Stanley and Commander Yule, in the Louisiade Archipelago, and New Guinea, some which are identical in all geological conditions with those found by me in various parts of the "cordillera," and which therefore, I take as evidence of the continuation of the chain. There were granites, porphyries, quartziferous schists, and trappean rocks. My impression is, that the "cordillera"' and its western parallels may be traced to the continent of Asia, being associated with Malacca and China by the agency of the Indian Archipelago. I advance these opinions to justify the conclusion, that we have a right to expect gold far to the northward of any discoveries of that metal yet made in this country.

11. You think the same mountain chain, or "cordillera," extends across Torres Strait to the Island of New Guinea or Papua?—I believe it is continued to New Guinea across Torres Strait, just as it is continued to Tasmania across Bass's Strait. I feel so sure of it, that I venture to assert, if expeditions be sent to look for gold along the northern parts of the cordillera they will find it.

12. Have you any objection to state to the committee, when your attention was first directed to the existence of gold in this country?—It was in 1841, when I crossed the dividing range to the westward of Paramatta, in endeavouring to satisfy myself as to the extent of the carboniferous formation in that direction, that I first became aware of the existence of gold in Australia, by detecting it at the head of the Winburndale rivulet and in the granite westward of the vale of Clwydd.

13. *By Mr. Holroyd.* Did you go further to the westward?—No, I had satisfied myself as to the object of my journey, and returned home. At that time I knew nothing of the history of gold, but since then I have obtained every information I could upon the subject. There are many persons living who know that I, very shortly afterwards, began to speak of the abundance of gold likely to be found in the colony, and that, as early as 1843, I mentioned it generally. On the 9th April 1844, I also spoke to the then Governor, Sir G. Gipps, and exhibited to him a sample, but without any result as to further inquiry. The matter was regarded as one of curiosity only, and consideration of the penal condition of the colony kept the subject quiet as much as the general ignorance of the value of such an indication. In that year I exhibited the gold and spoke of its probable abundance to some of the then members of council, and one of them, the late Mr. Robinson, replied to me "You ought to have been a miner," but took no further notice of it. The only person who seemed to take much interest in the subject was his Honour Mr. Justice Therry. I am able to fix the date of the time when I spoke to Sir G. Gipps by the recollection that I spent that day with him at Paramatta, and that it was the day on which a certain great meeting of squatters was held at Sydney.

14. What was the character of the gold you found?—It was imbedded in a matrix of quartz, and also, as it is generally found, in granite, in small flakes. I did not find alluvial gold.

15. Did you make it known to any of your scientific friends in England —Not at the time at which it was found, but I have written to my friends often since, and Sir R. Murchison has quoted from one of my letters to him, in an article published by him in the Quarterly Review of September, 1850. The editors of the Illustrated Australian Magazine, published at Melbourne (October 1851), state also, "that they had seen letters written by me, to "my friends in England, ten years ago, which proved that I knew the country to be "auriferous."—(p. 211. I do not mention these facts for the sake of speaking of myself, but to substantiate my claim to have declared the auriferous character of this country many years before the present gold workings began; and in consequence of the jealousy which has arisen respecting my knowledge and investigations of it. These were, and are, independent of any predictions or deductions of Sir R. Murchison, or of any discoveries of gold made here so late after my own as 1851.

16. *By the Chairman.* How much gold was there in the specimens you found in 1843? —The weight of one specimen was about a pennyweight; it was what might be termed a fair sample.

17. Did you find any other specimens afterwards?—I had no opportunity of revisiting the localities, my official duties prevented me, and when I had opportunities of again going away on detached duties, it was altogether in other directions. It was always my intention, had occasion allowed, to make a close investigation of that district.

18. *By Captain King.* Did you ever hear that Count Strzelecki had found gold at Bathurst?—No, I never heard of his having found gold at all till last year, 1851, (June, I believe), when I read a letter published by Mr. Walker, in the *Herald* newspaper, in which Strzelecki stated that he had found indications of veins of gold and silver near Wellington. There is no mention whatever of gold in his "Physical Description,' which was published in 1845; and in the geological report of his journey to Mount Kosciusco and Gipps' Land, printed in the parliamentary papers, the only allusion he makes to gold is in his

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notice of *auriferous pyrites*, which, he says, was too insignificant to be regarded commercially.

19. *By Mr. Holroyd.* Did you obtain your specimen from the creek or was it brought to you?—The gold of which I have spoken, as having first led me to the knowledge of the existence of the metal in New South Wales, I obtained myself.

20. Did you break off any more quartz?—No, I was not looking for gold; my object at that time was different. I was not then aware that other persons had found gold in various places of the western country.

21. *By the Chairman.* Were you aware of its containing gold until you returned home?—I knew it was gold, but I did not at first see what it indicated.

22. *By Mr. Holroyd.* You did not prosecute the investigation any further?—Not at that time, I merely regarded it then as a mineralogical discovery. People know generally that gold was found in Brazil, in Africa, and in other countries, but I think very few persons knew then anything of the manner in which it occurs or is collected. Books taught me that gold had been generally found in ancient formations, and the notion then was that Australia was a country of yesterday instead of what now I know it to be geologically, a very ancient country; reflection taught me the value of my gold, and I was led to investigate the age of the rocks in consequence. I sought collections from all quarters, and very soon came to conclusions of a satisfactory kind from comparison of the rocks of different localities.

23. *By the Chairman.* Have you had specimens of gold brought you from different parts of the country?—Since that time and before 1845; and I have received also specimens of quartz which I have analysed and have found to contain gold, though none was visible. I published facts of this kind last year, and I have very recently become acquainted with other facts of similar kind.

24. From various parts of the western country?—Some from the western and some from the south-western.

25. Can you give the committee any information as to the nature of the country of Papua from what you have heard?—I know nothing more than I have heard from explorers.

26. Is it a mountainous country with large rivers?—Captain Stanley and Commander Yule stated to me, that it has mountains at least 10,000 feet high. We may infer that there must be large rivers from the mass of sediment deposited in the neighbouring sea, which appears to be fast filling up from alluvial accumulations. Mr. Jukes mentioned a large river which was discovered by Captain Blackwood of H.M.S. "Fly."

27. What would be the limit of perpetual snow in those latitudes?—I cannot exactly say; in the southern hemisphere the limit is lower than in the northern, and but few, if any, observations have been made on the snow line on or near the equator. I imagine the plane of perpetual snow in New Guinea cannot be lower than 14,000 feet.

28. The probability is, that mountains 10,000 feet high are covered with snow the greater part of the year?—There is probably snow upon them. We have snow which never melts in the Australian Alps, and the highest point, Mount Kosciusco, is about 7,300 feet, in a latitude between 36° and 37° south. The perpetual snow line on Mont Blanc in 45° 51′ north latitude is at 8,844 feet; on Etna in 37° 30′ north it is at 9,531 feet.

29. *By Mr. Holroyd.* Are there glaciers on the Australian Alps similar to those you meet with in Switzerland?—Certainly not. I encamped last December on Mount Kosciusco. The snow on the declivities was from sixteen to forty feet thick, but I saw no evidence of glaciers though the snow was frozen. The lower regions of the Alpine range are only covered during winter or in paroxysmal storms in spring and autumn, when the ravines may be filled by drifted snow; but it is nearly all melted by the summer heat. I do not think the gold question is affected by the snow line, for I have proved that high mountains are not a necessary condition of the supply of it.

No. 4.

No. 4.

Copy of a DESPATCH from Governor-General Sir C. A. FitzRoy to the Duke of Newcastle.

(No. 37.) Government House, Sydney, February 27, 1854.

(Received June 27, 1854.)

My Lord Duke, (Answered, No. 10. July 4, 1854, p. 70.)

In the concluding paragraph of your Grace's Despatch of 29th September last, No. 128†, it is stated to be desirable that such further remittance should be made, in addition to the 10,000*l.* notified in my Despatch No. 174 of 2nd November, 1852, as having been paid into the Commissariat Chest on

† Page 59 of Papers relative to "Gold Discoveries in Australia," February 1854.

account of the Branch of the Royal Mint proposed to be established in this colony, as may be sufficient to meet the total cost ascertained to the 29th September 1853.

2. The estimated amount of expenditure for articles authorized to be procured up to the date mentioned, is stated by Captain Ward in his letter of the 17th August 1853, addressed to the Master of the Mint, a copy of which accompanied your Grace's Despatch, to be 18,347*l.* 7*s.* 3*d.* Of this sum 10,000*l.* has already been remitted, as stated in my Despatch before referred to; and I have now the honour to report that I have caused a further sum of 8,500*l.* to be paid into the Commissariat Chest, in order that under your Grace's sanction a corresponding sum may be issued from Her Majesty's Treasury to the Colonial Agent General, to whom the usual certificate of the Assistant Commissary General has been transmitted to enable him to make the required payments on account of this service.

3. The amount of the remittance has been advanced from the Territorial Revenue; but it will ultimately be chargeable on the General Revenue at the disposal of the Legislative Council, and will be repaid to the former Revenue accordingly.

I have, &c.

The Duke of Newcastle, &c. &c. &c. (Signed) CHARLES A. FITZROY.

No. 5.

No. 5.

Copy of a DESPATCH from Governor-General Sir C. A. FitzRoy to the Duke of Newcastle.

(No. 54.) Government House, Sydney, May 19, 1854.

My Lord Duke, (Received August 8, 1854.)

I have the honour to inclose the following Returns for the Quarter ended on the 31st December last:—

1st. Return showing the quantity and value of gold exported; gold brought to Sydney; and the number of licences granted to dig, search for, and remove gold; to erect temporary buildings, tents, &c.; and to carry on business in any way at the Gold Fields.

2d. Return of the quantity and value of gold exported from the colonies of New South Wales and Victoria.

2. The total amount brought to Sydney by the Government Escort and by the Post-office Mails during the Quarter was 24,796oz. 10dwt. 18gr., not including that brought overland from the Ovens, Albury, and Gundagai by the Sydney Gold Escort Company. The licences to dig, &c. amounted to 6,187*l.* 5*s.* 0*d.*, not including the leases to work auriferous quartz veins, the royalty on matrix gold, and the conveyance of gold by escort.

3. The gold exported from Sydney during the Quarter was—

Oz.		Dwt.		Gr.		Value.
126,099	:	15	:	19	—	409,824*l.* 6*s.* 3*d.*

but this, as in former returns, includes the amount brought from Victoria.

4. I also forward a copy of the Rev. W. B. Clarke's Tenth Report on the Geology of the Basin of the Condamine River, and a copy of Mr. Stutchbury's Eleventh Quarterly Report.

Oct. 14, 1853.

Oct. 18, 1853.

I have, &c.,

The Duke of Newcastle, &c. &c. &c. (Signed) CHARLES A. FITZROY.

Enclosure in No. 5.

NEW SOUTH WALES.

RETURN showing the Quantity and Value of Gold exported,—Gold brought to Sydney,—and the Number of Licences granted to mine and dig for Gold, to erect temporary Buildings, Tents, &c., and carry on Business in any way at the Gold Fields, &c., &c., and the Amount received from the same,—during the Quarter ended 31st December, 1853.

Gold Exported.		Gold Brought to Sydney.				†Licences.					Fees on Registration of Claims.	Fees on Transfer of Claims.	Leases to Work Auriferous Quartz Veins.		Amount of Royalty on Matrix Gold.	For the Conveyance of Gold per Government Escort.	Total Amount received during the Quarter.
						Crown Lands.		Private Lands.	Total Number of Licences Issued.	Total Amount Received for Licences.							
Quantity.	Value.	From what District.	By the Government Escort.	By the Post Office Mails.	Total.	To Mine and Dig. 10s. each Monthly.	To erect Temporary Buildings for the purposes of Trading. 10s. each Monthly.	To Mine and Dig. 5s. each Monthly.					No.	Amount.			
Oz. dwts. grs.	£ s. d.		*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*					£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.
*126,099 15 19	409,824 6 3	Western	16,647 6 2	547 0 0	17,194 6 2	7,327	295	61	7,683	3,826 5 0	- -	14 10 0	2	50 0 0	35 6 6	499 8 4	4,425 9 10
		Southern	4,171 19 20	890 0 0	5,061 19 20	1,413	7	888	2,308	934 0 0	- -	- -	-	- -	- -	125 3 2	1,059 3 2
		Northern	1,507 4 20	1,033 0 0	2,540 4 20	2,779	9	0	2,788	1,427 0 0	- -	- -	-	- -	- -	45 4 5	1,472 4 5
126,099 15 19	409,824 6 3	Totals -	22,326 10 18	2,470 0 0	24,796 10 18	11,519	311	949	12,779	187 5 0	- -	14 10 0	2	50 0 0	35 6 6	669 15 11	6,956 17 5
		From the Ovens River, Albury, and Gundagai, by the Gold Escort Company - - -			29,250 6 5												
					54,046 16 23												

* Includes a portion of the gold brought from the neighbouring colony of Victoria, but which cannot be distinguished.
† The License Fees to mine and dig for gold reduced by Act of Council, 17 Victoria, No. 23, from 1st October, 1853, as follow, viz.,
Crown Lands.—Monthly.—From 30s. to 10s. each.
Private Lands.—Monthly.—From 15s. to 5s. each.

C. D. RIDDELL.

Colonal Secretary's Office,
Sydney, January 31, 1854.

GOLD EXPORTED.

Year.	Quantity.			Value.		
	Oz.	*dwts.*	*grs.*	£	*s.*	*d.*
1851 - - - -	144,120	17	16	468,336	0	0
1852 - - - -	818,751	18	17	2,660,946	0	0
1853 - - - -	548,052	19	21	1,781,171	0	0
Totals - -	1,510,925	16	6	4,910,453	0	0

Enclosure 2 in No. 5. Encl. 2. in No. 5.

GOLD EXPORTED.

RETURN of the Quantity and Value of Gold Exported from the Colonies of New South Wales and Victoria for the Quarter ended December 31, 1853.

To England.	To Sydney (N.S. Wales.)	To Adelaide. South Australia	*To Singapore †To Calcutta. ‡To Ceylon.	§To Callao To ‖United States (New York.)	Total.	Value.
Oz. dwts. grs.	*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*	£. *s. d.*
EXPORTED FROM VICTORIA.						
619,919 19 5	1,605 0 0	- -	*2127 15 0 †3,891 16 6 ‡32,710 2 20	§1,500 0 0 ‖4,500 0 0	666,254 13 7	2,498,455 0 3
OVERLAND ESCORT TO SOUTH AUSTRALIA.						
- - -	- - -	14,937 5 0	- - -	- - -	14,937 5 0	56,014 13 9
OVERLAND ESCORT TO SYDNEY.						
- - -	31,579 5 0	- - -	- - -	- - -	31,579 5 0	118,422 3 9
619,919 19 5	33,184 5 0	14,937 5 0	38,729 14 2	6,000 0 0	(2)712,771 3 7	2,672,891 17 9

EXPORTED FROM NEW SOUTH WALES.	126,099 15 19	409,824 6 3
Deduct gold exported from Victoria to New South Wales, as above (1) - -	33,184 5 0	124,440 18 9
Estimated net quantity and value of gold exported, the produce of New South Wales - - - - - - - - -	92,915 10 19	285,383 7 6
Ditto ditto ditto Victoria as above (2) - - - -	712,771 3 7	2,672,891 17 9
Total from both Colonies - - - - - -	805,686 14 2	2,958,275 5 3
Estimated net quantity and value of gold exported from both Colonies from 29th May 1851 to 30th September 1853 - - - - -	5,256,188 18 0	18,184,896 14 8
Grand Total - - - -	6,061,875 12 2	21,143,171 19 11

Colonial Secretary's Office, Sydney,
New South Wales.
January 31, 1854.

C. D. RIDDELL.

Enclosure 3 in No. 5. Encl. 3. in No. 5.

LETTER from the Rev. W. B. CLARKE, to the Honourable the COLONIAL SECRETARY, on the Geology of the Basin of the Condamine River.

(REPORT No. X.)

SIR, St. Leonard's, 14th October 1853.

In laying before you, for the information of the Governor General, the following remarks on the Geology of the Basin of the Condamine, in continuation of previous Reports, I do myself the honour of requesting that you will be pleased to convey to His Excellency the expression of my regret that I should have been compelled, by the official duties and engagements that have crowded upon me since my return from the north, to delay the completion of my intention, instead of at once transmitting the observations which I have to make on the Districts of Darling Downs and Moreton Bay; and if I yet a little longer postpone a communication on the latter District, although long ago commenced, I will rely upon the courtesy of His Excellency to pardon what I cannot avoid.

NEW SOUTH WALES.

1. The main N. and S. trend of the elevated mass forming the ridge of New England suddenly bends away to the north-west, as before stated, (Report IX,) on the 152nd meridian, and thus the granitic ranges which have been so persistent in direction, through three degrees of latitude, gradually die away about the 28th parallel in the flat country of the lower Condamine. It is about this locality that the N.E. system of coast and general topographical parallels gives place to the N.W. system, these systems being those which give the main outlines to the arrangement not only of the whole east coasts of New Holland, but also of the islands of New Zealand, New Caledonia, and the Louisiade Archipelago. About 35 miles eastward of the termination of the meridional trend, a new series of ranges, replacing those of New England, commences at the head of Coreela Creek, and becomes the main orographical feature, running to the N.W., parallel with the N.E. coast, and separating the waters of the sea-board from those of the interior. The Condamine collects its waters from between the latter ranges and the off-set of the former, and turning round its extremity forms one of the chief heads of the Darling.

This altered disposition of the mountains appears to have connection with a new system of physical phenomena. For, in mineral composition of the formations in this portion of the "Cordillera," and in the conditions of the climate, as well as in the character of the modern Flora and in part of the ancient Fauna, there is a coincidence with the change of direction in the general parallelism of the coast lines and the dividing range, which is nearly rectangled to that which appears to the southward of the Condamine. And, although the actual alteration in the trend of the coast is not strikingly marked till about 25° S., and a line drawn along the course of the Darling upwards may be directly prolonged to the mouth of the Burnett, on that parallel, yet the waters of the Condamine appear to have their main channel along a course of drainage which is evidently due to the interference of the elevation of the chain as far west as the 150th meridian; and in this respect they are paralleled, not only by the mountains separating them from those of the Brisbane, but by the fissure in which the latter are conducted, and by the coast. The whole of the rivers flowing from the western side of the Cordillera as far to the south as the sources of the Murray have in the first part of their courses a similar disposition, but it is never so marked as in the course of the Condamine, which is the northern parallel of a series of nearly concentric curves, which all the western rivers observe till they join the great S.W. and N.E. trend of the Darling, between 27° and 37° S.

The N.W. trend of the Cordillera between the Condamine and the Brisbane does not, however, obliterate the meridional trend of granites, for it breaks out again beyond the head of the Brisbane and at intermediate points in the county of Cavendish on the very meridian, on which in the county of Merivale it becomes obscured.

The chief object which I have had in view in here introducing the subject of trends is, to point out that the N.W. direction of the main chain is evidently connected with the outbreak of trappean rocks from the head of the Condamine to that of the Victoria, which is a direct distance of more than 400 miles, and of which the north-western extremity is marked, according to the Surveyor General, by several true craters of eruption.

2. From the same author we learn, that a particle of gold was found by the late Mr. Commissioner Mitchell, near the Grafton Range, which is in the vicinity of the Main Range. As this locality is about 149° E., and therefore on a meridian which has been found to the southward prolific in gold, it is open to conjecture whether any gold found in the indicated locality is not rather due to the formations which distinguish that meridian generally, and which may outcrop near the Grafton Range, than to the presence of extinct volcanos (though in Victoria the abundant Gold Fields occur in a region where the old formations are pierced by extinct volcanos of very much later date), if there be such to the northward; but, otherwise, looking to the direction of the drainage in that region, (north of the Condamine on the 149th meridian) which is to the south, I would hesitate to receive the statement respecting gold except on the assurance of the discoverer, because the occurrence of gold on a southern course of drainage is an exception to a rule so generally marked throughout New South Wales.

3. So far as I have been enabled to learn, the whole region southward of the chain on the N.W. line already mentioned consists of the various members of the carboniferous formation which has already been traced up to Darling Downs from the Liverpool Plains, and trappean hills, and as no usually auriferous formations are known to crop out, the question of gold in such a region is very problematical. Inasmuch too, as the greater part of the Darling Downs District is composed superficially of the carboniferous formation and trappean alluvia, the former of which has been pierced at great depths in well sinking, as at Jimba, where the sandstones of this formation are known to be nearly 100 feet thick, there is very little probability of any gold being detected except where the auriferous formations are uncovered, as is the case in a few localities immediately in the vicinity of the actual heads of the Condamine and of the Macintyre Brook on the southern side of the granite stretching N.W. from Maryland. Pike's Creek is the nearest locality on the west side of the range to Darling Downs, on which gold has been found.

The solution of the problem in which so much interest has been taken, as to the occurrence of gold in the Darling Downs, depends upon the discovery of such localities; but it may be reasonably supposed that they will not be found in the heart of that district, simply because the auriferous formations are buried beneath a mass of deposits which are

generally unauriferous. Where these latter have been denuded and the former crop out, there gold is found in small quantities; and if it exists elsewhere, beneath the accumulations of grits, shale sandstones, and alluvia, it is certain no discovery can be made till these shall have been pierced through by the operations of the miner. Admitting the probability of its occurrence, its extraction under such circumstances could never pay for the cost of skill and labour which must be employed. Yet there is undoubted evidence that gold-bearing schists of very limited extent occur in the south corner of the Downs, and it is open to consideration, whether these schists may not underlie the carboniferous beds to the northward of Warwick, at which place I saw the junction of the two formations in the sinking of a well that had been made through the sandstones and shales into the underlying schists.

Near Rosenthal also, where coal occurs and fossiliferous underlying limestone, and the carboniferous formation is well developed, the soft quartziferous schists of the gold-bearing formation rise from below the former and range towards the base of the granite at Parrott's Gap and Burnett's One Tree Hill, and it was in that neighbourhood, on what is called Lord John's Swamp, that fine gold, evidently of granitic character, was found more than two years ago.

4. I may here report, that the first inducement to search for gold in this vicinity was the fact that I had detected, by amalgamation, the presence of gold in some portions of quartz from one of the veins traversing schist, which were forwarded to me by Mr. John M'Arthur, in the month of August, 1851. Five ounces of that quartz produced 0.4 grains of gold, which are equivalent to four ounces per ton.* I had previously indicated the locality, as will be seen in Mr. Commissioner Rollestone's Report to the Chief Commissioner of Crown Lands, dated November 18, 1851, (Blue Book, 1853, p. 129).

It was not without reason, therefore, that conjectures should be formed as to the existence of gold in abundance, by those who knew these circumstances but did not well weigh the necessary condition of *extent* of country in which such auriferous quartz may abound.

5. Having examined the district on my way from Maryland to Canning Downs, I will now state the conditions under which the formations in the area in question are exhibited. Descending from the New England country, I found, somewhat to the north of Burnett's One Tree Hill, several ridges of granite and siliceous rock (apparently transmuted schist) traversed by veins of quartz, with pebbles of siliceous rock covering the surface; these veins varied in direction, but trended to N.W. Others occur on the feeders of Lord John's Creek, above its junction with the Condamine, having nearly parallel directions, and being covered by numerous fragments of quartz; the matrix is schist. I followed some of these creeks towards the river, and examined their banks and beds, and found that the superficial soil was, for a few feet or inches, variably filled with gravelly detritus of quartz and altered grits and sandstones and hardened slates. Some fragments of the latter retain the original laminæ, though altered into a semi-crystalline substance of siliceous character. This detritus covers a considerable tract of schistose country between Lord John's Creek and Rosenthal, approaching which the carboniferous formation is gradually developed. But at every crossing-place of the numerous water courses the gravel is abundant; and in many of the banks fine gold occurs amidst the rubble. I afterwards found that, in the drift, as far as Canning Downs and up the Condamine towards Killarney, similar gold occurs in minute quantities; I conclude, therefore, that though under such circumstances no available Gold Field may exist, yet there are various localities where gold may be detected, and I am of the same opinion with some American prospectors who afterwards visited the neighbourhood, that gold exists on the flanks of the granite as well as in the quartz and detritus thereof, though, from the want of water, it cannot be obtained, even if the quantity be sufficient to warrant a trial.

Similar minute particles occur at the base of the Main Range, between Mount Leslie and Cunningham's Gap, on both sides of the range, but not in such amount as to justify a search, except for amusement.

The tract which may be said to be auriferous about Lord John's Creek is of limited extent, but it is well defined, for limestone occurs with the schists on nearly the same strike, and the order of the beds seems maintained up to the ranges separating Bodumba and Canal Creek, and still more eastwardly, Pike's Creek from waters flowing to the Condamine. As on both sides of this division of waters about equal auriferous indications exist, we may consider that the whole of that country is slightly charged with gold, but it can scarcely be regarded in any other light, with reference to gold,† than as proving the existence of gold-bearing rocks at intervals thus far to the northwards, that is to say, over *ten degrees of latitude*, from 38° to 28° S. Such being the case, it appears to me that nothing but the overlying deposits of the carboniferous formation and the trappean alluvia, which cover nearly the whole of the Darling Downs District, and, as before stated, the country beyond, about the heads of the waters falling from the Fitz Roy Downs,

* The quartz was divided into two equal portions. Half of it was treated in the usual way, with a little sulphuric acid added to the mercury; the blow-pipe produced 0.2 grains. The other half was treated with *aqua regia*, and after evaporation the residue was also 0.2 grains.

† There is, however, reason to believe, that the Macintyre Brook country will one day be found rich in other metals.

NEW SOUTH WALES.

&c., prevent the occurrence of a Gold Field in the parallel of 28°. It is clear, that the rocks elsewhere prolific in gold are there obscured and at a much more depressed horizon than they attain further south.

6. I would wish to notice in this place what might have been introduced in my 8th Report, but which was accidentally omitted, that the strike of the schist and associated limestone on the Macintyre Brook country is different to what it is in many other parts of the Colony. At one locality, which may be marked as bearing about S.S.W. from the head of Bodumba Creek, the strike of the cleavage of slates is nearly E. and W., and they are interpolated by bands of white compact or crystalline marble, having the same strike; the dip varying from 85° to N. to 90.° Veins of quartz traverse these schists from N. to S., in some places becoming extremely thin, in others expanding into considerable masses.

There is little doubt that this arrangement is in some degree due to the position of the granite to the northwards, upon which these slates repose.

The direction of the quartz veins about Lord John's Swamp does not follow either the normal or this abnormal direction, with respect to the slates; but in both cases the quartz becomes massive, and in the latter instance it is associated with a hard dark-coloured quartzite with very thin threads of quartz and much iron pyrites. A rock of the same kind occurs not far from the auriferous granite of the Araluen District.

7. It will also be observed that, as the schistose rocks are obscured in Darling Downs, the igneous rocks of the Main Range, even if of those kinds which are considered by some the chief agents in the production of gold, have not been brought into contact with those of the sedimentary formations, which, when transmuted and impregnated, are found to be auriferous at such elevations as distinguish the Hanging Rock and the Rocky Rivers. The conditions being wanting, the gullies and ravines of the Main Range, to which some persons have called my attention, are not thefore prolific. I can only repeat that, as respects the lower region in the Downs, it is possible for gold to be found here and there, but if it is ever obtained in more than an inconsiderable quantity, it will require far more energy and determination than the talkers about it have yet exhibited.

8. I may, however, here remark that though gold be wanting, there are gems and tin ore in many localities, of which little account was taken, but which may, perhaps, be one day as valuable as gold. Respecting the tin ore, I may state that I found it in almost every mass of drift in every portion of the country I have explored for gold, and that it is frequently abundant where gold is wanting. It exists in all the western streams, from the Peel to the Condamine, and it was equally common in the southern districts.

9. The slaty rocks that occur between Parrott's Gap and the Condamine rise up in bosses, exhibiting wherever sections are seen in the banks of creeks broken strata and radiating dips, the strike, where least disturbed, ranging toward east and west. The colour varies from grey to blue, but there are occasionally greenish schists which strike north and south. The occurrence of a trappean rock and beds that have been evidently transmuted about the junction with the broken granite, as well as the variable dips and strike of the slate, prove that there has been disturbance amongst them, so that the gold makes its appearance under circumstances favourable to the occurrence of metals. The Black Swamp, that marks the change of formations, and which owes its existence to the springs that break out in wet seasons from the ranges, was dry when I crossed it, but the abundance of drift pebbles shows that it has sometimes been exposed to far more favourable conditions for gold-finding than it then exhibited. The transmuted rock appeared to me to have been a grit or sandstone originally associated with the slates.

10. As the bed of a dry creek, a little below the swamp, gave me an elevation of 1611 feet above the sea, and as the Condamine Plain (according to the Trig. survey of Mr. J. C. Burnett, who measured his base thereon) is from 1277 to 1280 feet above the sea, intermediate between which localities I found several parts of the flat country along the Condamine from 1300 to 1400 and 1500 feet, the pebbly surface of the country agrees very well with the supposition, which is borne out by the organic remains of lacertian animals in the alluvia of the Downs, that formerly there existed, even up to the base of the mountains, one or more extensive lakes, or bays of an inland sea, the bones of crocodiles having been found even as far north as the head of the Dawson, in the banks of creeks now flowing into the black plains of trappean mud which occupies the lower country for fifty or sixty miles consecutively.

Supposing that on the Condamine Plain the water had a depth of only 60 fathoms, the pebbles and rubble that now cover the low ridges about the heads of the Condamine, and especially about Lord John's Swamp, could easily have been accumulated. But the probability is in favour of a very much greater depth, and if the carboniferous formation was itself of drift origin, it would seem that the superficial phenomena of the schists offer no objection to the supposition that till the actual period, this region has for many ages been under the influence of fluviatile or lacustrine conditions, or what is equally probable, those of estuary character. The enormous amount of drift fossil wood, the universal occurrence of fragmentary and partially rounded detritus, the dispersed nodules of travertine, agate and chalcedony, and the abundance of osseous relics of extinct marsupials and amphibious reptiles, associated as they are with shells of species yet inhabiting the waters of the present creeks, are all items in the account, and testify plainly to terrestial and atmospherical conditions very opposite to those which now obtain in the often dry and arid region in which

these testimonies to the past are everywhere discovered. The extraordinary appearance of the surface in many parts of the plains, exhibiting as it does an expanse of furrows and little ridges, betokens the modern effects of rains and floods: the covering of the trappean paste, the water-worn faces of the sandstones below, and the abrupt coast-like walls of the valleys issuing from the Main Range, with the decay exhibited in the softer materials that form some of these, all point to the same series of phenomena as the facts previously considered.

11. The occurrence of the bones of extinct animals has long been a fact generally known to the Colonists. In the year 1847, Mr. Turner, a settler on the Downs, brought to Sydney a large collection of bones dug up from the banks of King's Creek, and together with Dr. Leichhardt and Mr. Wall of the Australian Museum, I assisted in putting together such as corresponded. The result of our labour was the construction of the head of a Diprotodon, of such enormous proportions, that it measured four feet in length from the frontal bone to the occiput. Other bones in this collection were of such dimensions as to show that some individuals of this genus must have attained a size much greater than that of the largest elephant, and yet this gigantic creature, from the dental formula, was found to be intermediate between the Kangaroo and the Koala. With these were the bones of an animal inferior to the Diprotodon in size and more allied to the Tapir, the remains of several species of Kangaroo, the bones of a Varan (as defined by Mr. W. Macleay,) and those of one or more crocodiles. At the time these bones were brought to Sydney, and, after they had been examined and put together, had been exhibited by Mr. Turner to the public, a correspondence took place respecting them in the *Sydney Herald*, in which myself and Mr. Macleay took part, but Dr. Leichhardt did not publish his views, being about to start on his new expedition. I have, however, lately found a letter which he sent me on the subject, and as the question is interesting, and it is due to the scientific traveller to record his opinions, I have to request that His Excellency will allow the copy of the communications of my distinguished friend and others, which I herewith enclose, to be appended to this Report. Indeed, I have made such express mention of the head of the Diprotodon in order to introduce that communication to the notice of His Excellency. The original collection made by Mr. Turner was, I believe, sold to Mr. Boyd, but in the Australian Museum there are well executed casts of the head, and of some of the larger bones, made under Mr. Wall's superintendence.

12. During my examination of the Downs I became aware of the fact, that those relics are not confined to King's Creek, but that they are common in various other creeks, from the Scrubby Plains to the east of Warwick, to the northern extremity of the Downs, and they are not unknown on the Moreton Bay side of the Main Range. My own collection contains many interesting specimens, but the only new form I procured during the brief period which I could devote to the inquiry was a tooth of some animal allied to, but differing from, both Nototherium and Diprotodon. It is probable that Mr. Stuchbury, whose studies in palæontology fit him for the search, will be so fortunate as to find the remains of an animal indicated by Professor Owen,* in the year 1842, of a carnivorous kind, for, as he says, "some destructive species of this kind must have co-existed, of larger "dimensions than the extinct *Dasyurus laniarius*, the ancient destroyer of the now equally "extinct gigantic Kangaroo, *Macropus Titan*, &c., whose remains were discovered in the bone-"caves of Wellington Valley." There were some fragments in the immense heap of osseous matter accumulated by Mr. Turner, which appeared likely to belong to such a carnivorous giant, but they were too small and imperfect to deserve conjectural description. The discovery of what *must have existed* cannot be altogether incapable of demonstration, and therefore, such a verification of Professor Owen's anticipation is to be hoped for on many grounds.

13. Respecting the carboniferous deposits in Darling Downs, a few further remarks may be necessary. In some places, the beds are undistinguishable from those so powerfully developed in the great sandstone region of the Hawkesbury. Thus above Canning Downs, the strata where they are not covered by alluvium, and in the bed of the Condamine, consist of fine and coarse grained grits and sandstones which are marked by reddish or grey and yellow ferruginous laminæ, with but little deviation from the horizon; thin seams of shale with coal plants and coal of excellent quality also occur. Under Mount Leslie coal again occurs in Flag Stone Gulley; at the crossing place on Campbell's Creek; on Dalrymple Creek, where it is abundant; and about Rosenthal a white coarse grit of quartz and felspar and shale is charged with ironstone casts of large stems the bark of which is converted into coal. At one locality, on a creek running to the Condamine, whole stems of trees may be seen embedded in grit and converted into iron ore; there is a hollow place in the bank where the length of the stem and branches of such a tree lying in it, is full 20 feet. On a branch of Acacia Creek the grit very much resembles a decomposed granite, and near the junction of Gap Creek with the river there are grits of porphyritic character. The immense expansion of trappean plains prevents the outcrop of these deposits except in particular localities, but they may be traced along the Condamine as low down as 27° S. in easily recognised beds of conglomerate and grit, being covered more to the westward by heaps of sand which have, no doubt, been produced by the destruction of beds of this formation. Much of the coal that I have seen is of excellent quality, and some of it partakes the character of cannel coal. Hereafter, there can be no doubt, considerable seams will be

* Letter to Editor of *Annals of Natural History*, November 1st, 1842.

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discovered. I obtained from a well 47 feet deep on the range between King's and Dalrymple Creeks some well preserved impressions of ferns, and amongst them are species that are recognized in the coal beds of the Hunter. Ferns have been detected in shale beds, very much farther north, and in one instance, as I am informed, *shells* were associated with them. My informant, the late Mr. F. Forbes, thought it was a freshwater shell; but I do not rely much on the supposition as to its character. Like those, the strata in the Downs contain much clay and a large proportion of magnesia, which is, I think, a distinguishing characteristic of much of this carboniferous formation. Leichhardt found coal which he considered as belonging to the seam on Flagstone Creek, in 26° 45′ S., and 151° E., and all the way to the heads of the Dawson, a degree further north, beds of the same formation were met with, and casts of fossil plants, silicified wood, and hydrated iron; he also found the Darling Downs country, with all its distinct geological features, extending as far as the head of the Robinson about 25° 30′ S. On looking to his original MS map of his traverse from the Downs to the Maranoa in 1847, which he gave me with some notes of the geology, I find that on the Uhlbah or Horse Track River, one of the waters which joins the Balonne or Lower Condamine from the north, a few miles east of the 150th meridian, he met with similar indications. The extent, therefore, of the carboniferous formation, which I have before reported as extending from the Liverpool Plains to the Downs, is on the interior side of the colony enormous; and, therefore, there is good reason to conclude, that when the system of communication by railroads shall have been carried thus far, there will be no lack of fossil fuel to supply the necessary power.

14. On this occasion I do not introduce any references to other discoveries on the eastern side of the Main Dividing Ranges, of carboniferous beds of equal extent and more to the north; my object being to point out, that so far north as the parallel of the heads of the Darling the whole western flank of the Cordillera is bordered by one great carboniferous series of deposits which at its northern extremity along the Condamine must be at least 180 miles in width.* The *Coal Field of the Condamine* may be, therefore estimated at a superficial area of not less than 20,000 square miles, and admitting that the beds of coal may be but in very small proportion to those which are barren, still the presumption is in favour of a future abundant supply for all the wants of a coming era.

With such prospects and with so splendid and noble a country, the alluvial soil of which is composed of the richest mineral ingredients for the cultivation of the cereals, grasses, fruits, and all economical plants, it is not philosophic in those who are so abundantly rejoicing in the products of the soil to lament that Providence in its wisdom has denied them the expectation of the wealth, and the attendant injuries to social advancement in some respects, of an extensive Gold Field.

15. The mention of the alluvial soil naturally leads to a consideration of the ingenious constitution of the masses composing the main ranges from which that soil is chiefly derived. This part of the Cordillera is composed of various great hills and mountains, some forming the interior solid nucleus which culminates in peaks and serrated summits of oftentimes grotesque form; and others, overlooked by them, of massy rounded or conical and gable-ended outlines, which form outworks of the chain, and under the character of outlying hills stretch away in lines of direction transverse to the main ranges into the plains, thus separating the creeks and ravines in which the sedimentary deposits show themselves, as if they had been originally formed at the base of a lofty line of coast. So far as I could ascertain from my examination of the country crossed by me in my traverses across the chain, rocks, chiefly felspathic, appear to occupy the centre and various greenstones and basalts the outer portions. There is evidence of a granitic type in the very

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* The following itinerary of Mr. Bunce's traverse in 1848, across this tract of country, shows that a nearly direct route exists, and that the width assumed for the region in the text is not excessive.

	Miles.
1. From Warra Warra to Wombo	35
2. Wombo to Torreboo, opposite Callingnal (a lagoon)	25
3. To a Station of Mr. Isaac	35
4. To Dogwood Creek	8
5. To Dulacca Creek	3
6. To out Station of Isaac	20
7. W. N. W. to Channing Creek	10
8. To Uhlba or Horse-track River	12
9. To range N. of Odookdooka Creek	15
10. To Grafton Range (W.N.W.)	30
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Leichhardt's distances along the Condamine (or Balonne) were these :—

	Miles.
1. Wombo to Balonne	26
2. From Dogwood Creek to junction below Sandy Creek	28
3. To junction of Uhlba	25
5. To Frederick's Creek	16
6. To the Cogoon	24
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He makes the whole distance from Brisbane to the last station between 350 and 400 miles, and from that station to Fitz Roy Downs 40 miles. The distance in a right line from the parallel of the Balonne (No. 1.) to that of the Cogoon (No. 6.) is about 100 miles.

lowest part of it. if we may take into account the syenite which makes its appearance about the base of Mount Wilson, at the southern extremity of the chain; and imperfect porphyry and trachyte rise to the very summits of some of the loftiest peaks. There are also amygdaloids and semi-lavas, with well developed crystals of hornblende, chabazie, and ruby or zircon; and at the base olivine and pyroxenic basalt breaks out and forms, with other varieties of that rock, hills of distinct outline. Some of these are table-topped, and form insulated masses, as to the west of Goomburra, in which locality the usual forms of dolerite hills are peaked and conical and of narrow width.

16. Of the eruptive character of this chain there can be no doubt; but it is, perhaps, not easy to define the limits of the various periods in which the eruptions broke out, except relatively to the carboniferous formation, which appears to me to be intermediate in age between the porphyritic and basaltic portions of the chain. That some of the hornblendic rocks are also of the former period is highly probable, for they exhibit veins of copper on Clifton Creek. There is not, perhaps, in the whole District of Darling Downs a more interesting tract of country than that watered by King's Creek and Clifton Creek, flowing through Haldon Downs, which underlie the western escarpment of the chain, where Mount Melbourne, at the height of 2830 feet above the sea, forms the summit. As that mountain is formed partly of trachytic and pyroxenic basalt, there is a probability that more than two eruptions have occurred in that neighbourhood, especially as some of the rocks have the character of cellular lava scarcely distinguishable in appearance from some in my possession from Vesuvius; and as amidst the detritus at the base of the mountains, there are fragments that highly resemble obsidian.

17. Nevertheless, the copper ore is found in the region of hornblendic trap. The ore consists of grey copper and of blue and green malachite. Ferruginous resinitic rock also contains traces of copper, which is associated with a mineral the characters of which are those of strotianite.

18. As it is on the upper portion of the waters, of which Clifton Creek forms a part, that the fossil bones are found, and as below the copper locality the carboniferous deposits are distinctly exhibited, we have in this tract all the various rocks, minerals, and organic remains which distinguish the geology of the Downs. At Alford Well, more to the north, a vein was pierced which exhibits calcareous spar in association with the trap; and, as is common in numerous other localities in New South Wales, the action of the lime upon the trap has coated the sides of the vein with a thin seam of serpentine. A remarkable instance of the same kind may be mentioned, for illustration, as occurring in the trap quarry at Pikibba-ba, in the Pennant Hills, near Paramatta, which supplies the road metal for the streets of Sydney. I take the occasion here offered of remarking, that whatever may be the opinion of geologists as to the independent eruptive origin of serpentine, wherever I have found that rock in Australia, and it has not been seldom, it has always been met with in association with some kind of calcareous rock and trap. It is so on the Peel and Bingera; and from the illustrations offered by such localities as those on Clifton Creek and in the Pennant Hills, I think it not unlikely that serpentine is not an independent but a transmuted rock. The schistose structure it exhibits at the Hanging Rock, at Bingera, and near Warialda, as well as on some parts of the Murrumbidgee, gives it the character of an altered slate.

19. In the superficial detritus on Clifton and Dalrymple Creeks, there is much iron pyrites and hematite gravel; and a minute speck of gold has been discovered in it. The value of the copper in that locality is, at present rates of labour, perhaps but little, but as the blue and green carbonate ore disseminated in the minute hollows of a finely-cellular red ferruginous lava-like trap, as well as in larger samples of true veins in which quartz is a distinct and embedded mineral, it is, probably, extensively diffused. Whatever may be the age of the veins, it is, however, certain that a red vesicular rock, the specific gravity of which is as low as 1.66, (*i. e.* 0.54 below pumice) and which may, therefore, be called *scoria*, has its cells coloured by thin films of blue carbonate of copper, which may have resulted from volcanic fumes as in many modern craters of eruption; and, therefore, we may presume there is at some depth a considerable source of cupriferous matter, if these fumes were not derived from the veins in the older trap.

20. The abundance of travertin and tufa in the alluvial soil is, no doubt, derived from the lime of the trappean rocks, which besides the usual proportion in basalt and other igneous products, exists also in independent forms as crystals in many of the trappean and volcanic hills at the base of the chain. Besides these minerals, agates and chalcedonies, some of great size and beauty, distinguish the trap; and it is chiefly under such forms that the silica is deposited. Ice-spar is also occasionally present; but I did not find on the west side of the mountains in the lower ranges any members of the zeolite family.

21. The bold and majestic features of this portion of the Cordillera add much to the beauties of the rich country at its foot; and nothing that I have ever seen in any part of the globe can exceed the prospect which is presented by the birds-eye view of the ranges from the head of the Richmond to the north of Drayton, as it is beheld from a point in the granitic ridge between Maryland and the head of Canal Creek. I can easily imagine the delight which Cunningham is said to have experienced as he descended to the rich plains of the Condamine, from the south-west, when he saw the grassy tracts lying like placid bays at the foot of the magnificent coastlike barrier to the eastward.

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22. In crossing the Cordillera I pursued his track so far as the Gap which goes by his name. But finding it impossible to get my cart down the escarpment into the Moreton Bay country by that route, I attempted to cross it on the southward of Mount Mitchell, and between that mountain and Spicer's Peak, where a road is now being made. Owing to the carelessness of the driver the vehicle was unfortunately upset, and great damage done to it and its contents (as already reported, separately, to His Excellency) about a furlong from the summit of the pass, on which I had to remain during an inclement night without water, and to leave the vehicle till by the assistance of Mr. Balbi of Fassifern, who put at my service a team of bullocks, I was enabled to extricate it. This delay gave me an opportunity of examining the structure of this part of the range, and of obtaining observations for the elevations of numerous ranges in the Moreton Bay country, which was spread out below the escarpment in pictorial display.

23. The whole distance from Goomburra to the base of the range is occupied by hills of trap, much broken and diversified, between which are abundant supplies of water flowing through fertile valleys. On Gap Creek, not far below its rise, I found numerous holes which had been dug in the trappean detritus, in consequence of a statement that gold had been detected there, and of which I had been also informed before I reached the locality. I can only say that my opinion is that no gold was detected there; and I do not believe any could have been found unless it had been placed there, purposely, beforehand.

24. The ground gradually rises in elevation from the Condamine about 1,400 feet above the sea to 1,767 feet* at Jubb's, (formerly Cunningham's Camp) whence, according to Mr. C's measurement, the ground must rise 533 feet to the top of the pass (2,300 feet);† Mount Cordeaux on the north side of the Gap is 4,100 feet,‡ and Mount Mitchell on the south side 3,829 feet.‖ The height of Clarke's Gap at the point of descent on either side, for it is but a very narrow ridge of a few feet, is 2,394 feet;§ so there is not much difference between the levels. Mount Mitchell is a saddle-back mountain, having two rounded summits as seen in front from either face, called by the Moreton Bay blacks Oombaiyou and Coonyinira; Mount Cordeaux is called Naiamboyou; and Cunningham's Gap is called Kappoonk by the same tribes, and by the Darling Down blacks Kappook. Spicer's Peak is called Diarba, and Clarke's Gap Barrghan. Viewed from the back the north summit of Mount Mitchell assumes a lofty spire-like form rising by undulations from the saddle. As the lowest point between the Camp and Barrghan, where I crossed the creek flowing from the back of Mount Mitchell, was 1,896 feet, it will be seen that the surface is very broken, and that the summits are mere points of eruption. As the Stockyard on the Moreton Bay side, at the base of both gaps, is but 690 feet above the sea, this part of the Cordillera presents features similar to others that I saw in the Southern Counties, (as at the head of Maharatta Creek), the eastern side falling very rapidly in steep declivities, and in places nearly vertical, from Naiomboyou to the first flat at the head of Yarrill Creek, 3,410 feet; whilst the difference from the same summit to the plains on the Condamine, at Canning Downs, nearly 20 miles distance, is but 2,668 feet.

25. The base of the chain where the spurs fall to the level of the western plains is composed of olivine basalt; higher up amygdaloidal and vesicular trap prevails, till on the summit a red cellular lava-like compound passing into an imperfect porphyritic or trachytic rock, crests the ranges. In the immediate vicinity of the summit of Mount Cordeaux the former variety prevails, and on the ascent of Mount Mitchell, about half-way up, there is a lava-like trap, with chabasie or ice-spar; the amygdaloids appear at a lower elevation, but above the basalt. As the sedimentary deposits on the east side of the chain are altered where they are in contact with the trap, some species of the latter must be of more recent age; and looking generally to the phenomena presented by the contact of the different kinds of igneous rocks, there can be no doubt that some of those rocks flowed after the manner of modern lavas, the vesicles being elongated in the same direction. Calcareous secretions and foliated zeolite were found by Cunningham above Miller's Vale; I found similar examples under Spicer's Peak.

26. Admitting, theoretically, that the vicinity in question betrays the marks of ancient volcanic forces, it will be difficult to detect the actual outlines of any true crater, though there is much in the disposition of the ranges immediately below the gaps to the eastward to convey the idea of such a former condition of the surface. Thus Mount Cordeaux and Spicer's Peak might be assumed to be the loftiest edges of a crater, of which Mogarra (Mt. Greville) and Ooman (Mt. Edwards) form parts of the eastern wall, and which opens to the N.E.; but the presence of a considerable thickness of local detritus composed of decomposed rocks filled with fragments and concretionary lumps of trap, just on the edge of the descent from the escarpment of the gaps, proves that any such crater has been partially obliterated by subsequent aqueous forces.¶

27. Returning to the immediate object of this Report, it may be mentioned that on Gap Creek there exists a deposit of semi-crystalline felspathic matter which appears to have resulted from the decomposition of porphyritic trap, and on that side of the chain, as before observed, there are indubitable evidences of the action and long abode of water over what is now the surface of the slopes and plains. I have been inclined to believe, that the

* W. B. C. † A. C. ‡ A. C. § J. C. B.
‖ W. B. C. The ground directly opposite Cunningham's Gap is 2,073 feet. W. B. C.
¶ There are other indications of craters further to the N.W., not far from the head of the Burnett.

So in Copy.

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felspathic deposit alluded to above may belong to an older portion of the series of deposits, and not to, at least the upper, carboniferous rocks. There is a spot near the Condamine, in the neighbourhood of Clifton Creek, where beds of a coarse conglomerate consisting of quartz and other pebbles derived from the main range dip at an angle of about 8° to N.E. under, as it were, the trappean hills. It has been reported to me that granite has been found in these beds. Over this formation, a modern deposit of gravel, with fragments of trap and fossil wood, reposes in horizontal layers. Now as no pebbles of the supposed more modern trap rocks are found in the quartz conglomerate, we may infer that the latter have issued since that formation, and have overflowed it; and should it actually be what I believe—the base of the carboniferous deposits—then, the fact that a conglomerate of even more recent age than the upper part of those deposits, entangling pebbles of the same kind as now occur in the water-courses, and fragments of fossil wood, will confirm the inference that water must have, at a former period, occupied the surface of that part of the Downs, and stood at a considerable height, as I have deduced from different facts observed on Lord John's Swamp. If granite actually occurs in the conglomerate alluded to, then it is probable that that rock may be found further into the plains than it is now known to occur.

28. The following Table of elevations in Darling Downs contains several determinations from the Trigonometrical Survey of J. C. Burnett, Esq., to whose friendship and zeal I am indebted for this and many other acts of co-operation during the last thirteen years. I could have extended the Table, by other results of my own observations; but these will be sufficient to give an idea of the character of the country east of the Condamine.

Elevations chiefly to the East and North-east of the River Condamine.

	Feet.	Observer.
1. Dry Creek, near Lord John's Swamp	1,611	W. B. C.
2. Warwick	1,320	"
3. Canning Downs	1,362	"
4. Gladfield	1,393	"
5. Goomburra	1,432	"
6. Goomburra Sugar Loaf	2,031	"
7. Cunningham's Camp	1,767	"
8. Point on the tract opposite Cunningham's Gap	2,073	"
9. Creek N. of Mt. Mitchell	1,896	"
10. Clarke's Gap	2,394	"
11. West end of Miller's Vale	1,704	Cunningham.
12. Cunningham's Gap	2,300	"
13. Mount Cordeaux	4,100	"
14. Mount Mitchell	3,829	J. C. Burnett.
15. Table Top Mountain	2,054	"
16. Gammie's Hill	2,136	"
17. Mount Rolleston	1,98*	"
18. Gowrie Hill	2,212	"
19. Sugar Loaf	2,230	"
20. Mount Irving	1,533	"
21. Mount Russell	1,640	"
22. Mount Maria	1,422	"
23. N. end of base on Condamine Plain	1,277	"
24. S. end ditto	1,280	"
25. Mount Domville	2,140	"
26. Mount Peel (Drayton)	2,325	"
27. Mount Huntley	4,153	"
28. Mount Sturt	2,863	"
29. Mowbullum or Craig's Range, E. of Jimba	3,640	"
30. Mount Leslie	2,683	"
31. Bald Hill	2,311	"
32. Herrie's Range	2,785	"
33. Eight Mile Creek, N. of Maryland	2,139	W. B. C.
34. Andrew's Station	1,300	Leichhardt.
35. Jimba	1,100	"
36. Eaton Vale	1,600	"
37. Westbrook	1,320	"
38. Campbell and Andrew's Station	1,200	"

* So in Copy.

There are other localities of which the elevations have been calculated by other observers as well as by myself; but although I am well satisfied with my own zero points, and confident of my results, I have omitted to introduce them into the above table, because I think it better to postpone them till I can find leisure for re-discussing them.* I may, however, mention that, on arriving at Brisbane, I tested the accuracy of my barometer in

* The height of Rosenthal is stated by Leichhardt to be 1,184 feet; yet it is above Warwick, which I make 1,320 feet.

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company with Mr. Burnett, by measuring the summit of Windmill Hill above the level of the Brisbane River. The height came out 157.91 feet. Mr. Dixon had previously taken the height by levelling, and his result was 157.88 feet. On arriving in Sydney, I also compared the instrument with the Legislative Council standard, to which most of my observations were referred, and it was found in good order.

I have, &c.,
W. B. Clarke.

The Honourable
the Colonial Secretary.

Appendix to Report No. X.

No. 1.

Extract from Remarks on the Bones brought to Sydney by Mr. Turner, published in the Sydney Morning Herald of November 30, 1847, by Rev. W. B. Clarke.

From time to time discoveries have been made in the neighbourhood of Mount Macedon, in the caves of Wellington Valley, at Boree, in the Liverpool Plains, and along the high level country on the Upper Condamine River, on Darling Downs, of the existence of bones of extinct animals, at various depths below the surface, in alluvial soil, and associated with fresh-water shells of living species; and it is now almost determined that such relics of the former occupants of New Holland may be expected in all places where the physical conditions of the country appear to be of similar kind.

From depths in the Liverpool Plains, varying from 20 to 100 feet, bones of species of kangaroos and other animals have been frequently dug up by persons employed in making wells; and it has long been an amusement with the gentlemen squatters on Darling Downs to search for relics of the kind in the very prolific region along the Condamine.

Professor Owen, who is the most distinguished comparative anatomist of the day, has examined some of these relics, in addition to those which were found near Mount Macedon, and others discovered by Sir T. L. Mitchell at Wellington, and of which a description and figures are given in the history of his "Expeditions."

Amongst these, there were bones of animals of the Marsupial order, which have been distinguished as belonging to two new genera called *Diprotodon* and *Nototherium.*

In his "*Descriptive and Illustrated Catalogue of the Fossil Organic Remains of Mammalia and Aves contained in the Museum of the Royal College of Surgeons of England,*" recently published by Professor Owen, from No. 1460 to 1509, inclusive, the work is occupied by a discussion, comprising 32 quarto pages, on such of the bones of these new genera as, up to 1845, had fallen under observation.

Now of these, the whole of the relics were fragmentary and defective, and consisted chiefly of portions of broken bones of various parts of the skeleton. And it is remarkable, that of the jaws only portions of rami of the *lower* jaw had been then discovered.

Yet from these and a few of the teeth, Professor Owen was led to conclusions of extreme interest as to the past history of New Holland; conclusions directly affecting the animal, and, indirectly, the vegetable and meteorological phenomena of this great country in by-gone ages. To enter here into a minute analysis of Professor Owen's study of those relics would be in some degree unsatisfactory, because it is not to be supposed that general readers would be sufficiently interested in the subject to care for the full process of reasoning which a skilful anatomist may think it right to pursue. But there are but few readers who will not be in some degree excited by the main results of these inquiries; and it is from such persons that we are now endeavouring to claim attention on behalf of Mr. Turner's recent discoveries.

After discussing the peculiarities of the structure of the bones in the relics of the Diprotodon and Nototherium, Professor Owen comes to this conclusion, that there formerly existed "*in Australia a marsupial vegetable feeder as large as the Rhinoceros.*" The bones brought down to Sydney fully confirm this judgment.

Professor Owen has indicated certain affinities between this great Australian beast and the Kangaroo, Tapir, and Wombat, leaving it uncertain to which the Diprotodon is nearest. He points out, that in the Kangaroo and Dinotherium the enamel of the teeth is *smooth and polished;* and that in the Tapir, the transverse ridges of the molars or grinding teeth are marked on the *anterior* side by *reticulo-punctate markings;* whilst in the Diprotodon, the *rugose-punctate markings* are found on *both* the *anterior* and *posterior* surfaces of the transverse ridges. There is no doubt that Mr. Turner's principal specimen is a Diprotodon, the teeth in these respects answering the description of that genus.

Professor Owen observes further, that there are characters of the jaw which make the *Wombat* very nearly resemble the Diprotodon; yet, again, there are others which show a greater resemblance to the *Kangaroo;* but he adds, there are still other characters that have closer resemblance to those of the *Tapir* than to either.

He says also, one fragment he examined "indicates a massive and powerful forearm." Now, the length of the humerus in Mr. Turner's animal is two feet four inches; and the

scapula with which it is connected measures two feet ten inches, having a circumference of twenty inches; so that Owen's inference is fairly justified. The size also of the *femur* is nearly that of the elephant; whilst the head, when first dug up, was *four feet* in length.

Professor Owen, be it remembered, had never seen the *upper jaw* of the Diprotodon. Mr. Turner's animal, in this respect, is not only unique, but perfect; for the head is nearly complete, with the exception of some of the hinder parts; the whole having been crushed and apparently broken in by some powerful agency, but has been restored by the assiduity of Mr. Wall, of the Museum, Dr. Leichhardt, &c., &c. This head exhibits, therefore, all that is necessary for comparison with the Wombat, Tapir, and Kangaroo; and those gentlemen who have examined it have pronounced it, in many respects, nearer perhaps to a Kangaroo than to any other known creature.

Its formula of dentition consists of *six incisors* in the *upper* jaw, and *two* in the *lower*. There are also four molars in each side of the upper jaw, and also two smaller teeth, either false molars or canine teeth. The molars in the lower jaw are also four in each ramus. Now the dentition of the Wombat consists of two incisors in each jaw, and five molars on each side of both jaws. As in the Wombat, the small tooth in Mr. Turner's animal is less than the true molars, and like that in the Wombat, it may be a false one.

The Tapir has *six incisors* and two canines in each jaw, separated from the molars by an empty space. In the genus *Macropus*, which includes the Kangaroos, the formula of the teeth is *six incisors in the upper jaw* and two in the lower; false molars, two in each jaw, and in each jaw *four* true molars. But we learn from Cuvier, that the anterior or false molar is frequently wanting; and it is known that some animals of this genus are wanting in more or less of their molar teeth; the animal being subject to the pressure of the new teeth from behind, so that the former decay and fall out. This may be the case with Mr. Turner's animal; and in the Museum there is a skeleton of one of the Macropidæ, in which the teeth are irregular in number, and one of the back molars is just appearing.

In the Marsupial animals, the number of *true* molars is always four, whilst in the other orders of Mammalia, according to Waterhouse, with the exception of a few groups, the highest number is *three*.

For these and other reasons, which it is not necessary to enumerate, Mr. Turner's new animal must have been in some respects very near a Kangaroo, and if characters may be relied on, certainly marsupial. But as the formula of dentition in the Koala is also $\frac{6}{2}, \frac{2}{0}, \frac{4}{4}$, there is a great resemblance to that animal also: the presence of a tail would settle the point at once.

The portions of the skeleton of this individual which are now in Sydney consist of the head, both femora, both scapulæ, one humerus, several of the ribs, several vertebræ of the neck, of the back, and of the *tail:* and the size of these bones, when compared with those of the skeletons of living *Macropidæ*, will surprise the beholder.

If, eventually, after further examination, the conclusions respecting its Kangaroo-like character should be confirmed, then we must suppose it to have been certainly not less than from sixteen to eighteen feet in height; but as there are appearances in the size of the bones of the extremities, which would lead to the inference that it was perhaps not of such a character, but of one more resembling the larger Mammalia, then it may have been a kind of Koala, at the lowest estimate, nearly ten feet high.

One remarkable feature in its dentition is the tusk-like appearance of its two largest upper incisors, which certainly differ in shape from those of the kangaroos.

Our readers will understand from this, that, at any rate, there is a remarkable creature within the reach of their inspection, and after a few days, it is intended by Mr. Turner to exhibit it to the public.

The locality whence this skeleton was derived is King's Creek, a feeder of the Condamine; and we are told that so abundant are the bones in that creek, that portions of the bottom of it are literally strewed with their fragments, washed from the alluvium of its banks.

One fact is very remarkable, viz., Mr. Turner's great animal was in so apparently fresh a condition, when it was first disentombed, that the brain was in a state to be easily recognised, and traces of bloodvessels in it were distinct. This does not, however, prove necessarily a very recent existence, but, perhaps, that the soil in which it was buried was peculiarly preservative. But it certainly belonged to the present era, for a *unio*, a *cyclas*, and univalve shells of the same species that still inhabit the Condamine are found in the soil and even attached to the bones.

In a few days the public will be able to judge for themselves; till then we shall quit the subject, to return to it again, if anything appear to call for further remark, unless, which is much to be desired, that distinguished naturalist, Mr. W. S. Macleay, favours the public with something more satisfactory than the above imperfect notice, which is chiefly drawn up to aid Mr. Turner in his praiseworthy efforts to advance the knowledge of Australia.

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No. 2.

LETTER from WILLIAM SHARPE MACLEAY, Esq., to the Editors of the Sydney Morning Herald.

GENTLEMEN,

I suspect that the writer of the article in your journal on the subject of the bones now on exhibition by Mr. Turner, ought to be aware that my acquaintance with the comparative anatomy of *vertebrated animals* is not so extensive as to authorize me to publish anything on those fossil remains. Perhaps he holds that a popular account in the columns of a newspaper ought to form an exception to any such rule that I may have laid down for myself; but the truth is, that he has left me the power of saying very little new on the subject. Indeed, the few observations I shall now offer in answer to his call will do little more than tend to confirm the correctness of the general views which he has taken of the affinities of this extraordinary extinct quadruped.

In 1838, Professor Owen, on the inspection of a molar tooth taken home by Sir Thomas Mitchell, detected an affinity to the wombat, and named the animal to which the tooth had belonged *Diprotodon*, no doubt on account of this molar having those two parallel transverse ridges for crowns which assimilate the *Diprotodon* to the Tapir tribe, rather than to any other known animals. This tapiroid molar dentition, as well as the posterior discovery of an enormous thigh bone, made Owen consider the animal might have possibly been placental and a kind of *Deinotherium*. Since that period, however, he has returned to the opinion of the *Diprotodon* having been a marsupial animal, and in this state our knowledge of this gigantic tenant of the ancient Australian forest may be said to have remained until the discovery of Mr. Turner's specimens. These form a skeleton pretty complete, except as to the *vertebræ*, the *pelvis*, and all the extremities below the *humerus* and *femur*. As however the London College of Surgeons possesses portions of the *ulna*, *radius*, *tibia*, and *fibula*, with an *os calcis*, and as Mr. Turner appears to have two of the metatarsal bones, we may be said to have gained a knowledge of all the more important parts of this animal's osteology, except the bones of the pelvis, the feet, and the claws. Not having the *pelvis*, we know not positively whether it was furnished with the marsupial bones; but all analogy, and its close affinity to the Kangaroo, and, above all, to the *Phascolarctos* or Native Bear, make me have no doubt of Mr. Turner's animal having been marsupial, as they are.

The molars prove that it was the *Diprotodon Australis* of Owen. Now, the formula of dentition of

	Incisors.	Canines.	Premolars.	Molars.	
1. A Wombat, is	$\frac{1-1}{1-1}$	$\frac{0-0}{0-0}$	$\frac{1-1}{1-1}$	$\frac{4-4}{4-4}$	=24
2. A Native Bear, or Koala is	$\frac{3-3}{1-1}$	$\frac{1-1}{0-0}$	$\frac{1-1}{1-1}$	$\frac{4-4}{4-4}$	=30
3. A Kangaroo Rat is	$\frac{3-3}{1-1}$	$\frac{1-1}{0-0}$	$\frac{1-1}{1-1}$	$\frac{4-4}{4-4}$	=30
4. A true Kangaroo is	$\frac{3-3}{1-1}$	$\frac{0-0}{0-0}$	$\frac{1-1}{1-1}$	$\frac{4-4}{4-4}$	=28

The writer of the article in your journal on this subject appears to be not certain of the formula of the *Diprotodon's* dentition, because he doubts whether certain teeth in the upper jaw ought to be deemed premolars or canines. They are, however, certainly premolars: for it is an infallible rule that upper canine teeth, where they exist, are inserted in the maxillary bone, close to its suture with the intermaxillary. Paying attention to this rule, we shall find the dental formula of the *Diprotodon* to be as follows,—

$$\text{Incisors } \frac{3-3}{1-1}, \text{ Canines } \frac{0-0}{0-0}, \text{ Premolars } \frac{1-1}{1-1}, \text{ Molars } \frac{4-4}{4-4} = 28$$

In other words exactly the same as the true kangaroo's; and moreover, the teeth in both genera have exactly the same kind of location with respect to the jaw. The under jaw, moreover, is that of a Kangaroo in various important points of its general structure, which is quite different from that of the corresponding part in a native bear.

On the other hand, the upper incisors of the kangaroos have their cutting margins on the same curved line, whereas the anterior ones are produced beyond that line in the kangaroo-rat, and still more particularly in the native bear, where the line of cutting edges is remarkably irregular. Now this is more strikingly the case with the *Diprotodon*, where the two anterior incisors of the upper jaw become long tusks curving over the lower incisors as in the koala, only being longer and stouter in proportion, so that the incisors may be said to be those of a native bear, more robustly developed. The general form of the skull is also very like that of the koala. From this animal, however, the *Diprotodon* differs in having no canines, and in the molars having, instead of four pointed

crowns, two transverse parallel ridges like the kangaroo, only not connected as in that genus by a middle ridge running parallel to the line of the jaw. It is needless to compare the dentition of the *Diprotodon* with that of the wombat, as they are very different. Indeed, looking at the general structure of this fossil animal, we may venture to describe it as having been a marsupial, bearing the same relation to a kangaroo that a native bear does to the *Hypsiprymnus* or kangaroo rat. Of course, in stating such a proportion, I have reference not to the size, but, I repeat, to the structure of these respective animals.

Still the skull of the *Diprotodon* has some very remarkable points of formation that appear to distinguish it from all known marsupials. The chief of these are as follow :

1st.—The slope of the plane of the occipital foramen and of the occipital region of the cranium, both of which incline from below upwards and forwards at an angle of about 75° with the basal line of the skull. Professor Owen, speaking of a remarkable Fossil Pachyderm, found in Paraguay, and called by him *Toxodon Darwinii*, in which this structure also occurs, says, "This slope is one of the striking characteristics of the *Deinotherium*," (a fossil Pachyderm by the way that has a Tapiroid molar dentition wonderfully like that of the *Diprotodon*) "is common to all true *Cetacea*, and is met with in a smaller degree in the great Ant-eater and other *Edentata*. The corresponding position of the foramen magnum presents nearly the opposite extreme to Man in the occipital scale proposed by Daubenton as a test of the intelligence of animals." And the indication of the limited capacity of the *Diprotodon* thus afforded is confirmed by the small proportion which the cerebral cavity bears to the zygomatic and maxillary arches, and to the size of the spinal chord as indicated by the foramen magnum.

2ndly.—The *Diprotodon* is distinguished by each intermaxillary sending up from their line of juncture a thin process, so as nearly to meet the points of the nasal bones, which processes became no doubt in the animal when alive confluent in the plane of the medial line of the skull. This bony septum has nothing in nature, as my friend Dr. Leichhardt has well observed to me, so near to it as the corresponding septum which divides the head of that singular fossil rhinoceros, called by Cuvier therefore *Rhinoceros teichorhinus*, the bones of which are so common in the drift and limestone caverns of England, and all the north of Europe. The strong structure and form of the shoulder-blade ; the flattened shape of the very robust shoulder and thigh bones also remind one considerably of the same organs in certain species of the genus Rhinoceros.

3rdly.—The skull of the *Diprotodon* is distinguished from that of all marsupials in the form of the grinding teeth, which, as before mentioned, resemble those of the Tapir and *Deinotherium*, rather than of any other animal. But after them these molars, as before stated, resemble most those of the kangaroo.

With respect to its general form, the *Diprotodon* was clearly an "equipedal animal," like the Wombat and Koala—a fact that Owen seems to have ascertained by reasoning analogically from the structure of an *os calcis* in the Museum of the London College of Surgeons. All these three genera present the only instances of animals closely allied to the kangaroo, having the articular surfaces of the calcaneum two in number, of the same general form, proportions, and relative position. I may add to this acute observation that in the *Macropidæ*, or kangaroo family, the humerus is about one-third shorter than the femur, while in the *Diprotodon* these bones are of about equal length.

The whole skeleton, as far as known, proves the *Diprotodon* to have been a huge unwieldy quadruped, shaped something like a Koala or Wombat, only perhaps still heavier in its proportions. Like the Koala it must have fed entirely on vegetable matter, and have been quite harmless. The formation of the femur leads us to suppose that the pelvis must have been broad like that of the *Megatherium*, and that the *Diprotodon* had a very capacious seat. What kind of tail it had is not known, as very few vertebræ have as yet been found. But general inference, and the improbability of so heavy an animal being able to ascend trees, make me imagine that it sat upon the ground upright, while with its long anterior tusks it scraped down from the trunks the bark that may have constituted its principal food, or it may have used these long curved tusks for bending down the lower branches of trees within reach of its other teeth. The truth of all such hypotheses will be best tested by the discovery of the claws and of the bones of the feet. At first, from the above detailed resemblance as to the tapiroid animals, and to the rhinoceros, I was inclined to think it might have been like them a frequenter of marshes and water-holes, where, by means of its upper tusks, as with a hoe, it grubbed up the roots of aquatic plants. And a friend of mine is still induced to adopt the opinion of its having been an aquatic quadruped, on account of the extraordinary slope forward of its occipital plane. But many *Edentata*, essentially terrestrial, have this structure, and I know at present no stronger reason for the belief of its having been an inhabitant of water, than the fact of its bones being found in the bed of a tributary of the Condamine. On the other hand, bones of this same animal are said to have been found in the caves of Wellington Valley, and in certain pleiocene strata of Mount Macedon, near Melbourne ; and as terrestrial quadrupeds generally resort to water-holes and moist ravines, previous to their natural death, such places have always been famous for the accumulation of tertiary and diluvial fossil remains of all classes of mammalia.

With respect to the age when the Diprotodon lived, it is in geological language a recent fossil ; but then, in a country like Australia, which, generally speaking, as far as we can observe, has remained dry and uncovered by the ocean during those immense periods of

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time that the oolitic, cretaceous, and tertiary deposits, were forming in the northern hemisphere, it is difficult to assign much meaning to the word "recent" as applied to our animal, more particularly when a bone perfectly excluded from all communication with decomposing agents, such as the atmosphere, may, so far as we know, last any length of time. Geology teaches us that species, like individuals, have each an allotted period of existence, and in a country apparently subject of late to so few geological revolutions as Australia, I conceive the *Diprotodon* to have in process of time become naturally extinct as well as the enormous reptile whose bones have been found in its company by Mr. Turner. This was a Monitor or Varan, very near in structure to the carnivorous fork-tongued lizard, which in this Colony is most erroneously called "Iguana," a name which properly belongs to the round-tongued and truly herbivorous lizards of America. The fossil Monitor of the Condamine must have been nearly 20 feet long, as is shown by the size of two broken caudal vertebræ, and the fragment of a bone of the pelvis, all in Mr. Turner's collection. But this collection is above all interesting, as proving the truth of Professor Owen's suggestion, that there formerly existed in the Australian wilds a marsupial Pachyderm, thus serving to complete that series of analogies which quadrupeds with marsupial bones bear to the several classes of placental mammalia.

W. S. MACLEAY

Elizabeth Bay, December 2, 1847.

No. 3.

EXTRACTS from a LETTER by Dr. LEICHHARDT, to Rev. W. B. CLARKE.

MY DEAR FRIEND, Sydney, December 4, 1847.

Notwithstanding my daily intention of coming over to the North Shore, and of staying with you over-night, and of talking over with you several points interesting to both of us, I have found it impossible, and I am compelled to start on my long pilgrimage without having once more pressed your friendly hand. I go to-night, and I shall not again return to Sydney, if I can help it; but I shall let you know how I am getting on. Take care of my Barometer, and as you observe its gentle rise and fall, so imagine your friend's spirits rising or ebbing down during the daily progress of his enterprize.

Mr. Turner has been offered £50 for his bones, and my further competition is out of question.* Some days ago I wrote down my remarks† on the most striking features of these bones with the intention of leaving them with Wall; but as Mr. W. Macleay has published his remarks in the paper, and as there are several points he has not mentioned, I send them over to you, that you may discuss points with him, on which my opinion differs a little from his. I send you besides a letter‡ which I wrote to Owen, in sending him a branch of what I considered the lower jaw of a *sucking diprotodon.* He mentioned part of this letter in a meeting of the British Association; but not that part which was most interesting to me. He was at the time under the impression, that those bones belonged to the Dinotherium, and the change of his opinions must have been in some connection with that bone, and with the loose incisors of the large animal I sent him at the same time.

* * * * * * * * * *

Adieu, my dear friend, I shall write to you from New England, and from Darling Downs, and hope your thoughts will be occasionally with me.

Most sincerely yours,

Rev. W. B. Clarke. LUDWIG LEICHHARDT.

No. 4.

REMARKS by Dr. LEICHHARDT, on the Bones brought to Sydney by Mr. Turner.

The following points are the most striking in the fossil bones of Mr. Turner. They belong—

1—To the Diprotodon, a gigantic marsupial pachyderm, established by Richard Owen, from bones sent to him by Sir Thomas Mitchell.

2—To a large animal resembling the Diprotodon, but inferior in size. If the Diprotodon was of the size of the Rhinoceros, this was equal to the Tapir, or rather larger. (It is not the Nototherium.)

3—To various species of Kangaroos, one of which must have surpassed twice the size of our "Old Man."

4—To a gigantic species of Monitor (the "Guana of the Colonists").

5—To a Gavial or Crocodile.

The bones of the Diprotodon are the most perfect, and consequently the most interesting. The molar teeth, which are almost identical in form with those of the Tapir, show that the animal was herbivorous. Similar teeth are found in the Dinotherium and in the Kangaroo; but these of the latter have a connecting ridge between the two principal transversal ridges, in which point the teeth of No. 2 agree with them. The incisor teeth

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* It was the intention of Dr. L. to purchase them for the purpose of presenting them to the Museum.—W.B.C.
† No. 4. ‡ No. 5.

are extremely remarkable. The two middle ones are very much developed, arched, and pass beyond the two inferior horizontal incisors, on which they seem not to act. The two more external incisors, of which the most external is by far the smallest, have a used surface which corresponds exactly with that of the two inferior incisors. Their direction is very curious. They are turned outwards and forwards—a position which is very probably unique in the Mammalia. One might imagine that such an organization would be convenient to an animal which was rooting up plants under water. The arched upper median incisors would serve to plough the ground, and the next two pair of teeth placed behind the first would lay hold of the root, by pressing against the inferior incisors, the tongue being little developed in all aquatic mammalia.

An extremely remarkable point is the large process of the inter-maxillary bone, which almost meets the nasal bone and the osseous septum. A corresponding form has been observed in the *Rhinoceros teuchorhinus*, which had the septum ossified, and ascending processes of the inter-maxillary bone united with the nasal bones, to give support and a strong foundation to the horn, which the animal used to uproot the ground. Another interesting point is the descending process of the jugal bone, in which it resembles the Sloth, and particularly the Megatherium.

The jugal arches are very much developed, and the intervening muscles which moved the lower jaw must have been extremely powerful. Though the descending process of the jugal bone reminds us of the Megatherium, the posterior angle of the lower jaw so characteristic of the Sloth is, by a large process, entirely different, forming a simple curved line; but at the internal surface of this angle there is a sinus, which corresponds to a large hollow peculiar to the Kangaroo. The bones of the scull rise into a low broad crest very much like those of the Koala (Phascolarctos), and the form of the whole head resembles that of the latter animal very much. It differs, however, essentially from this animal, and from the terrestial Pachyderms, by the position of its occipital foramen and condyles. The more terrestial an animal is, and the higher it stands in the scale of intellect, the farther the condyloid processes lie before the posterior extremity of the scull, and in Man they are below the centre of it. In the aquatic Pachydermata, however, (the Cetaceous animals) and in the fossil Dinotherium and Toxodon, these processes form the posterior extremity of the skull, as if the denser medium did assist them to support the heavy head, which in the whale forms the third part of the whole animal. The neck must have been very short, as it is the case in all the largest Pachyderms, but particularly in the aquatic Pachyderms. From the latter, however, the animal is distinguished by much flatter ribs, and by apparently short spinous processes of the dorsal vertebræ. The shoulder is long and heavy, and the posterior extremity of it is thicker than in any known animal. The anterior and posterior extremities were of the same length. The humerus and femur, though remarkably compressed, particularly towards the lower condyles, are free from prominent processes, and to judge by the condyles, capable of a very free movement. This is particularly apparent in the femur, the neck of which is remarkably long and free. I cannot but think that this animal must have enjoyed considerable freedom in its movements, notwithstanding its great bulk. Mr. Owen has examined a heel bone, (*os calcis*) and he has found that it is strikingly similar to that of the Koala and Wombat, particularly to that of the latter.

Many of the affinities of the animal belong to the Marsupial animals. The formula of the teeth is identical with that of the Kangaroo, and the two horizontal inferior incisors are particularly striking. The posterior angle of the lower jaw—the crest and general form of the head like the Koala—the os calcis like that of the Wombat—this has induced Mr. Owen, Mr. W. Macleay, and Mr. Clarke, and other observers, to suppose that this animal too was marsupial. I partake in their opinion.

Its haunts must have been similar with those of the Toxodon. If it was an animal which lived principally in the water, it was out of the question that it carried its young ones in a pouch—they would have been immediately suffocated. It is therefore probable, that like the Chironectes, it had Marsupial bones and was formed on the Marsupial type, but that it did not carry its young ones in a pouch. The Didelphys is another instance of an animal which has Marsupial bones without the pouch, or only with an indication of it, in slight folds of the skin.

The animal was, consequently, very probably what our great comparative anatomist pronounced it to be—a Marsupial gigantic Pachyderm, which lived principally in swamps and lakes.

LUDWIG LEICHHARDT.

No. 5.

LETTER from L. LEICHHARDT to PROFESSOR OWEN.

MY DEAR SIR, Sydney, July 10, 1844.

YOU have very probably forgotten the German student to whom you were so kind as to give a letter of introduction to Sir Thomas Mitchell in Sidney. I am desirous of riveting my name more deeply into your memory, and in order to do so, I take the liberty of sending you one or two specimens of the collection of fossil bones I made in Darling Downs. It is the young animal of the gigantic Pachyderm, which once lived near and in

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the swamps and lagoons, which must have covered those rich plains. The imperfect state of the specimen which came under your observation made you believe that it was an animal with the dentition of the Dinotherium; but this specimen as well as the two teeth, tied together and belonging to the lower jaw of the old animal, will show you that it was an animal of different incisors and really more allied to the dentition of a kangaroo than to any other animal. Is it not curious that a great number of Australian animals, very different in the formation of the body, have a certain resemblance in the lower jaw, and particularly in the two horizontal incisors? I would call it the Australian type, and should say that the large fossil jaw was formed on the same plan on which that of the Kangaroo, of the Opossum, of the flying squirrel of the Colonists, and of the Koala, is formed without pretending that the animal to which it belonged was either a gigantic Kangaroo or a gigantic Opossum. The old animal showed at the end of the incisors a used surface, which leads to the supposition that two or four upper incisors acted on it. The old animal has only four molar teeth, every one with two transversal ridges without any longitudinal connection. The young animal has the false molar, which it seems to cast as it grows older. The two branches of the old jaw are intimately united. You will be curious to know the locality in which these bones are found. The Darling Downs are extensive plains formed by broad shallow valleys, without trees, covered only with grass and herbage, which grow luxuriantly on the rich black soil in which concretions of carbonate of lime are frequently found. Ranges of low hills forming long simple lines with sudden slopes and flat topped cones accompanying these valleys and bear an open forest formed of various species of rather stunted eucalyptus. All these hills are formed by basaltic rock, containing frequently crystals of peridot, and being often cellular, sometimes real scoriæ. The base of the rock is, however, felspathic, and as the peridot is frequently absent, the rock becomes a uniform grey rock which forms a white globule before the blow-pipe, and which I should class amongst the trachytes or phonolites.

The plains are filled with an alluvium of considerable depth, as wells dug 50 or 60 feet deep have been still within it. The plains and creeks in which fossil bones have been found are Hodgson's Creek, Campbell's Creek, Isaac's Creek, and Oaky Creek. They pass all into and through immense plains on the west side of the Condamine into which they fall. The bones are either found in the bed of the Creek, particularly in the mud of the dried up water holes, or in the banks of the creeks in a red loamy breccia, or amongst beds of pebbles, containing many trachytic pebbles probably of the Coast Range from the west side of which these creeks descend. In the banks of the creeks you find, at first, the rich black soil of the plain about three feet thick, then layers of clay and of loam here and there, particularly at Isaac's Creek, with marly concretions of strange irregular forms, often of considerable thickness, though not extending very far horizontally; the loam containing little broken pieces of ironstone (breccia) is equally local. Below these lie the beds of pebbles. The bones are found in the breccia, generally near the concretions, but not with them, or they are amongst the pebbles.

A very interesting fact is the presence of univalve and bivalve shells which live still in the neighbouring waterholes, in the same beds in which the bones are found. They are either intimately united with the bones by a marly cement, or they occur independent. The greatest depth in which bones were found is 12 feet; at Oaky Creek we found them at the surface. Besides the bones of the gigantic animal, there are lower jaws and different parts of the body of four other kangaroos, many of them little different from the living, and probably identic with those of Wellington Valley. It seems to me, that the conditions of life can have very little changed, as the same shells live still in similar waterholes. The want of food can scarcely be the cause of their disappearing, as flocks of sheep and cattle depasture over their fossil remains. But as such a herbivore must have required a large body of water for his sustenance, the drainage of these plains or the failing of these springs, the calcareous water of which formed the concretions in the banks of the creeks, has been, probably, the cause of their retiring to more favourable localities, and, I should not be surprised, if I found them in the tropical interior, through which I am going to find my way to Port Essington. I have put besides a caudal vertebra into the little box, more in order to fill it than as valuable to you, as Sir Thomas Mitchell told me that he had sent you a fine collection of almost every part of the body.

I have sent an account of the geological features of the Colony north of Hunter River to my friend Dr. William Nicholson in Newcastle-upon-Tyne,* and I hope he will translate and publish it in one of the geological journals. I recommend it to your favour; and should it be found deficient, as every first attempt must be, I have to add, that I am a man without any means, having been enabled to come to this Colony by my generous friend Dr. W. Nicholson, and living here as the bird lives, who flies from tree to tree, living on the kindness of a friend fond of my science, or on the hospitality of the settler and the squatter. With a little mare I travelled more than 2,500 miles in zigzag from Newcastle to Wide, being often groom and cook, and washerwoman, geologist and botanist, at the

* I saw this account in the original German in 1844; and at Leichhardt's request I wrote again to Dr. Nicholson about its publication both in German and English. My letter came back from the General Post Office in London, marked "*gone away, not known where.*" Other letters to booksellers in Germany have brought no tidings of the publication there. It would form an invaluable companion to the geological specimens collected by my friend, and which are now likely to be made available by being deposited in the Australian Museum.

W. B. C.

same time, and I delighted in this kind of life; but I feel too deeply that ampler means would enable me to do more, and to do it better.

When you next hear of me, it will be either that I am lost or dead, or that I have succeeded to penetrate through the interior to Port Essington.

Professor Owen. Believe me, &c., L. L.

Enclosure 4 in No. 5.

COPY of a LETTER from the GEOLOGICAL SURVEYOR to the COLONIAL SECRETARY.

SIR, *Emu Creek, Darling Downs, 18th October* 1853.

I have the honour to transmit herewith, for the information of His Excellency the Governor General, my eleventh tri-monthly Report upon the geological and mineralogical structure of New South Wales.

Several days' delay has occurred in sending off the Report, in consequence of my desire that it should be accompanied by the map, which did not come to hand until last post, although forwarded from the Surveyor General's Office so far back as August.

The difficulty I have with respect to maps is a source of much inconvenience in carrying on this service, my work in most instances having preceded the maps so necessary in the execution of the survey, restricting me in lateral extent, from being obliged to take so many observations to enable me to fix the work with any degree of accuracy.

His Excellency will observe with satisfaction that one of the great essentials to the future prosperity of the colony is so generally diffused in the interior, viz.—Coal; and I have confidence in His Excellency's approval of extra time being devoted in the search for the remains of those extraordinary extinct animals, so highly interesting in connexion with the ancient history and condition of this insular continent.

I have, &c., S. STUTCHBURY.

Geological and Mineralogical Survey Camp,

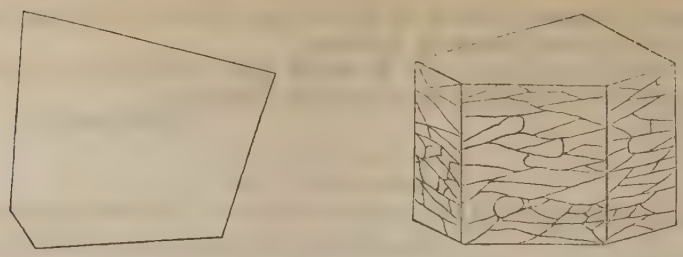
(Report) *Emu Creek, Darling Downs, 1st October* 1853.

Being detained by the swollen state of the various streams, and my cart requiring repair, I took the opportunity of further examining the country around Berrigil, and filling in such portions of the map as had not previously been coloured.

Thus, on the eastern ranges opposite the Berrigil station, noticed in my tenth report as consisting of sandstone and conglomerate, I found the flat land on the north and north-western ends of the range to be of coarse variegated sandstone, dipping to the south west at an angle of 4°; this sandstone is slightly interspersed with small pebbles of red jasper and quartz: as the range is ascended the strata are tilted at much higher angles; proceeding in a southerly direction along the summit of the range (which is flat-topped), the sandstone disappears, the pebbles of the conglomerate alone remaining to denote its former position, these being mixed with a debacle of trap rock.

On the upper part of the western side of the range which bore north 60° east from the hut, distant two and a half miles, there is a very singular and interesting cliff of basalt, (a very hard whinstone of a brackish gray colour containing crystals of glassy felspar) in pentagonal columns (the only form seen), those in front standing perfectly independent of each other, the interspaces being from one to twelve inches in width; they are from ten to fifteen feet in height. The singularity of this set of pillars consists in their being very numerously jointed in deltoid and sphenoid forms, and not vertebrated, as basalt generally is. The interspaces between the columns appear to have arisen from weathering on the joints of the planes, they are also remarkable from their having three or four of the planes so broad as nearly to obliterate the others.

NEW SOUTH WALES.



Upon this columnar basalt is superimposed a vesicular trap containing glassy felspar, (a subsequent flow of volcanic mud); further south the trap rock becomes narrower taking a direction south 25° west, and is flanked on both sides by sandstone in abrupt bold cliffs.

In a gully trending west and north-west, the sandstone (its general bearing being to the south-west) here dips north 20° west, at an angle of 8°. Numerous casts of vegetable remains, some of large size, were observed in the shales and sandstones of this gully, as well as in the shales of the Berrigel Creek, the latter consisting principally of Zeugophyllites.

The south-eastern branch of the Terryhiehie Creek, called the Gulf Creek, consists of sandstone, in many instances resting upon beds of very coarse conglomerate; the north-eastern bank exhibits the sandstone and conglomerate in irregular and detached masses of great size, the bedding or stratification being very imperfect, while the south-western bank presents a laminated structure, arenaceous and argillaceous shales alternating with the sandstone.

About two miles above the junction of the south-eastern branch with Terryhiehie Creek, at the mouth of a small ravine, the south-western bank affords an interesting section of anticlinal and synclinal curves; the rock is sandstone, with arenaceous shales, beneath which, and above a coarse conglomerate, there is a bed about two feet thick, of a pale greenish hue, consisting of an earthy talcose base, with veins and particles of a darker green compact felspar—probably a trappean ash with segregated felspar; the conglomerate forms the centre of the anticlinal arch, and contains various coloured jaspers, green and white quartz, &c., cemented by comminuted particles of a similar material to that immediately overlying it. The strike of the strata is north 60° west, the anticlinal curve dipping 4° and 10° respectively, the synclinal at 10° and 5°, and succeeded by another anticlinal curve, dipping at 5° and 8°; in this, the south-eastern extremity of the section, the sandstone contains oval cylindrical masses not unlike the trunks of fossil trees, the cross section presenting concentric laminæ (probably casts of trees only).

Following the creek upwards, I found numerous loose portions of trap rock containing agates; from thence, in a south-south-westerly direction, sandstone prevails, comparatively but little altered, and dipping slightly to the north-west.

Half a mile from the station hut of Pringle on Rocky Creek, in a direction south 60° west, on the north-east bank, there are large masses of conglomerate bearing north 25° west, composed of dark-coloured sandy quartz, with particles of white felspar and hornblende, cementing large and small fragments and boulders of granite of several varieties.

1st. Compact felspar, with limpid quartz, the felspar base of several colours, principally dark grey and red.

2nd. Quartz, hornblende, and bronze-coloured mica (granular).

3rd. Hornblendic granite, flesh-coloured felspar, and hornblende.

4th. Syenite; hornblende, with felspar.

5th. Irregular patches of hornblende in amorphous quartz.

I have been thus particular in the description of the included rocks, because further examination may discover the site of the original rock of each variety, and thus be a clue to the course of the drift. They evidently form a sandstone younger than the granite; question now arises, of what age are these granites? Probably older than those of the Sappa Bulgas, and of the same age as those of Spicer's and Mitchell's Creeks (vide Report No. 6). The general bearing of this conglomerate is north 45° west, dip north 60° east, angle 18°. One quarter of a mile lower down the creek, there are thick regular beds of sandstone formed of granite debris: these strata are superimposed upon the before-mentioned conglomerate.

The conglomerate is also found in a creek flowing from the south-east, which empties itself into Rocky Creek, about half a mile from this place.

A range on the eastern side of Rocky Creek, running north and south, consists of hard variegated cornean or chert, surmounted by conglomerate with granite. I could not

etermine whether this sandstone was, or was not, a member of the coal measure sandstone o largely developed around it, the country being so much broken up, and the dip of the trata so very various, but have very little doubt that it is of subsequent formation.

Twelve miles from Pringle's station, crossing plains and scrubs in a south-west direction, eing the line of the left-hand branch of Rocky Creek, there is a gap or pass, called the blackfellows' stockyard," the cliffs on each being within one hundred feet, and about the ame in perpendicular height, the length of the pass not being more than one hundred ards, beyond which there are several walls or dykes of rock from one hundred to two undred feet in height, and from fifty to one hundred feet in thickness; they range south-vest by west; the walls and ranges environ a swamp flat about two by three miles in iameter, without a break except the one small opening or gap above-mentioned, through vhich the enormous quantity of debris could have passed; the general dip of the rocks is o the east, angle 45°, but much confused; the upright dykes are composed of a minutely-rystallized (granular) quartz with mica (granitel).

Ascended the range from the eastern side of the swamp, which presented a broken scarpment of prismatic columnar forms; the rock a light brown sandy base, with glassy elspar. Proceeded along the ridge two miles south-west, and descended to a broad hollow ncline between two ranges, the southern of which being that of Mount Lindesay. In his hollow the rock was trappean, a dark brown siliceous base, and vesicular, many of he cavities lined with small crystals of transparent quartz of an opalescent hue; masses f bright red jasper and quartz frequently formed part of the base rock; eisenkeisel was bundant; also compact hæmatite iron.

These jaspers are obviously of distinct origin to those so frequently found alternating vith altered schists, of which they are true members, resulting from a higher degree of eat and consequent transmutation. Mr. Darwin, in his work on Volcanic Islands, page 46, as offered an explanation of the formation of jasper, chalcedony, and agate in volcanic ocks, in the following manner:—that there has been a molecular or mechanical displace-nent of the atoms of the base rock replaced by atoms of silica. In like manner he explains he silicification of fossil wood; for more detailed particulars and arguments I must refer o the work above quoted.

I continued my examination by keeping the crest of the Mount Lindesay range, a very arrowed "razor-backed" range, only a few feet in length, the slope on each side being at ngles of 60°, and not less than fifteen hundred feet above the ravine; this, together with Mount Lindesay, the highest mountain in this part of the Colony, is of grey trap, with nuch crystallized glassy felspar (adulara), the northern spur being granitel, similar to the lykes near the "blackfellows' stockyard," while the intermediate rock, between the nountain and northern terminus, was of altered sandstone, dipping south by east.

I have observed that the summit peaks and terminal ends of most of these high ranges are of trap rock, while the intermediate ridge is of sandstone, more or less altered: such s the case with Courada, Mount Riddell, and particularly Mount Lindesay, where the andstone has the zoned appearance so frequently before noticed.

A parallel range, west of the western branch of Rocky Creek, connected with the Lindesay range by a curved spur, is of felspar with crystals of felspar, in some parts wholly nade up of crystallized (albite) felspar, surmounted by huge blocks of conglomerate of rappean stuff, with a large proportion of soda felspar.

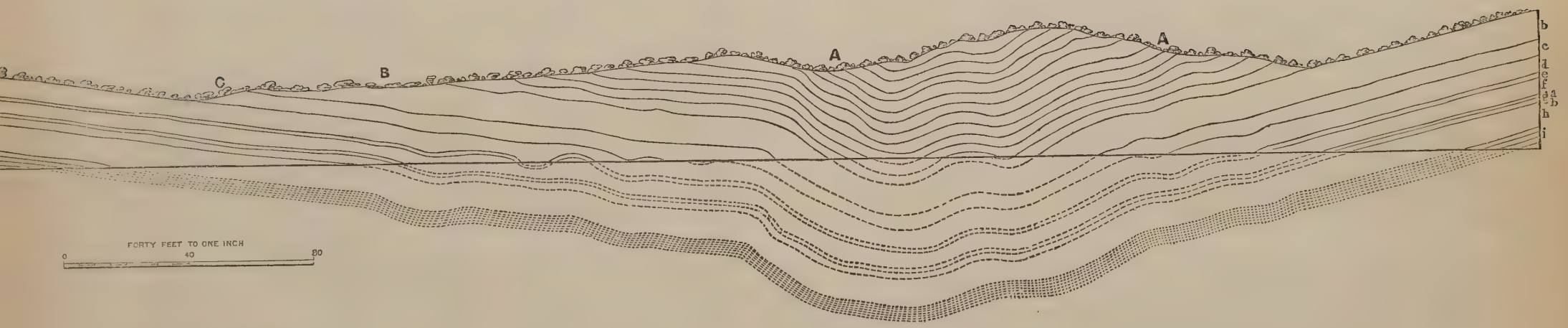
Descending to the plains south of Courada, I observed several isolated conical hills evidently produced as volcanoes of elevation (subaqueous); the bearings of these hills, as seen from a northern spur of the Mount Lindesay range are, by prism compass, 287°, 321°, 324°, 337°, 15°, 59°, and 138°, they are of a buff-coloured sand (volcanic ash?) surmounted by a coarse conglomerate, made up of similar ash, and containing granitic and trappean fragments.

Both branches of the Rocky Creek exhibit, as low down as where they unite to form the main creek, a sheet of trappean stuff conglomerated, presenting nearly a flat but rough surface.

East of the Lindesay range, several sandstone cliffs on the mountain sides strongly reminded me of the undercliffs of the south coast of England, appearing at a distance ike bastions.

Following down the Rocky Creek to within three miles of its junction with the Horton River, I took a course north for the purpose of examining the western bank of the Horton as far as the Durragh Gap, opposite Pallal. I found the country to be made up entirely of altered sandstone, (trap and porphyry in small ridges trending north 25° east) dip westerly, angle 40°.

SECTION OF CLIFFS AT PALLAL ON THE HORTON RIVER.



a – Blue shales.
b—Calcareo arenaceous rock.
c—Brown argillaceous shale.
d—White rock.
e—Black shales.
f—Brown shale.
g a—White clay.
g b—Black shale.
h—Greenish brown sandstone. (Fossilliferous.)
i—Black and brown shales, alternating

Being in the neighbourhood of the fossilliferous rock, I revisited it, and obtained the following additions to the list of organic remains, given in my last Report, No. 10, viz.:—platycrinites, loxonema, pecten, macrochiclus, and conularia, also measured for horizontal section.

Proceeded to examine the Durragh Gap, a break through the range which separates the waters of the Horton from Terryhiehie Creek, situate about four miles from Pallal, in the direction of 253°, this part of the range is of coal measure sandstone, replete with vegetable remains.

In a deep gully, on the southern side of the Gap, I observed a bed of imperfect coal two feet six inches thick, which would probably prove much better if quarried into, bearing north 5° east, dip north 40° east, angle 42°:—the intermediate country between the range and Terryhiehie is sandstone.

Examined the country between Birrigel and Terryhiehie, passing over plains and sandstone, the ridges to the north-east being composed of whinstone.

From Terryhiehie I proceeded in a direction north 80° west, and in crossing the creek, the bed of which was found to be composed of whinstone (basaltic), continued my course for three miles over sandstone and conglomerate; at this distance I ascended a whinstone range bearing north at the junction of the trap with the sandstone, numerous portions were seen of a stalactitic and botryoidal form, (concretionary) fossil wood and jasper pebbles were abundant.

Eight miles north-east from Terryhiehie, standing out from the main range, is a mountain known by the name of the "Cap and Bonnet," composed of compact felspar, limpid quartz, and oxyde of iron. In the Tea Tree Creek, on the north side of the Cap and Bonnet, are bands of porphyry of a grey compact base, with red and white mottling; north of the Cap and Bonnet there are three small mountains called the Batteries, formed of sandstone and conglomerate.

Crossed the plains and dense scrubs from Terryhiehie to the Gwydir, (known in this part of the country as the "Big River.") The plains, for the most part, are strewed with quartz pebbles, resulting from the breaking down of the conglomerate.

At eleven miles from Terryhiehie, in a north-north-easterly direction, one mile north of the dividing range, between the Gwydir and Terryhiehie Creek, is a belt of trap rock circling round to the eastward, the whole of the intervening country to Binegy (Eaton's) on the Gwydir being of sandstone debris.

Proceeded in a direction east 3° south from Binegy, for the purpose of examining the Gravesend mountains (the northern spur of the Slaughterhouse range), distant seven miles; the country passed over consisted, for three miles, of sandstone and decomposed trap rock, at four and a half miles a ridge of felsparite trap; flanking this are large masses of vitrified conglomerate* with fragments of Leelite and granular sandstone, the latter being an aggregation of crystals, more or less abraded. At five miles, about two hundred yards west of the Tea Tree Creek, there is a ridge of limestone, in character precisely similar to that observed on the Horton, near Eulowrie, and having the same direction north 20° west; the rock contains numerous crinital remains and coral (favosites fibrosa?) This ridge, being in a direct distance, about thirty-six miles from Eulowrie, proves that there is no intervening dislocation or fault of any amount; one quarter of a mile further east there is another band of hard greenish grey limestone, the intermediate space being covered by conglomerate; this is succeeded by very large blocks of vitrified sandstone varying both in colour and texture.

The Gravesend mountains, the highest of which is called by the natives "Munnadabillah," are of columnar basaltic phonolite, while the connecting becks of low land are covered with a conglomerate of trap and granitic pebbles. The flanks of these mountains are of similar material, with diverging dips. This granite conglomerate is precisely similar to that noticed near Rocky Creek.

Proceeding in a southerly direction, I found the spur of the main range dividing the waters of Terryhiehie Creek from the Gwydir, to be composed of trap rock; the flanks to the east and west being sandstone, with occasional patches of whinstone debris.

In a westerly direction from Binegy, the country presents plains of sandstone. Extending my examination in a more northerly direction, I found the plains to consist of sandstone and trap alluvium.

In tracing up Mosquito Creek, at Nunga Nunga, (a series of water-holes) small ridges of sandstone and conglomerate are met with; the softer parts being reduced to fine sand, rendering it exceedingly difficult to travel. At Blake's Station the ridges are of a coarse ferruginous sand rock.

Proceeding in a north-north-easterly direction from Musquito Creek, the country consisted of loose sand, eight miles in breadth, and extending far to the west; with the exception of a spur of trap rock which I crossed five miles from my starting point emanating from a range extending to the eastward and northward. The sandstone in the creek dipped to the west of north.

* I have used the term 'vitrified' as most significant of its glassy appearance, not positively asserting or believing that they have in all cases been actually fused, because I am aware that, under certain conditions, silica may be dissolved in thermo-chemical waters or vapour and re-deposited; but in some instances it would appear that the vitrification had resulted from fusion in consequence of the presence of a pumiceous character occasioned by the entanglement of minute air bubbles.

NEW SOUTH WALES.

North-east the country presents fine undulating downs, with occasional ridges of highly vitrified sandstone. These downs are composed of a hard bluish-grey whinstone, and are continuous for many miles to the east and north-east. Three miles south of Gunnewaraldie, (Cox's)on Croppy Creek, the ridges are of sandstone and conglomerate, exceedingly hard and vitreous. One mile south from the Station, large masses of compact cream coloured limestone, including sand, was found—probably Newer Pliocene.

Leaving Croppy Creek, the first four miles, north-north-east, consisted of sandstone and vitreous conglomerates; the remaining distance to Yallaroy being over downs composed of trap, and extending far to the east and west. At this place, numerous masses of similar sandstones and conglomerates are exhibited, standing in bold relief from the surface, and surrounded by trap rock.

From Yallaroy to Ottley's Creek, the trap downs still continue, until arriving within five miles of the creek commonly known as Dangar's Creek, where a flat of sandstone appears, terminating at Bahla, and flanked on either side by trap

From Bahla, north-north-east, there is a sandstone flat, which separates Blue Nobby from Mount Mitchell, both of which mountains are of trap rock. Crossing Ottley's Creek, passed over plains consisting of mixed alluvium of sandstone and trap, extending four miles in breadth. Continuing north-easterly, sandstone ridges occur, of a highly ferruginous character, bearing south-east and north-west, and dividing the waters of Ottley's Creek from the McIntyre River.

In a northerly direction, the country consists of sandstone, as far as the junction of Ottley's Creek with the McIntyre River. From thence, tracing up the McIntyre to Yetman, the banks present rich plains, from two to three miles in breadth, composed of sandstone and decomposed whinstone.

From Yetman south and south-easterly, and for a distance of five miles, sandstone plains.

One mile south of Old Trigomon, (Simpson) a range of hard, flinty slate abuts upon the river. This range trends to the north-east, forming a crescent, and is flanked on the west and south-west by sandstone ridges of considerable extent. In washing the earth in the bed of the river, at this place, (Old Trigomon) I found very small gold, and minute rubies, sapphire, garnet, and chrysolite. Among the shingle was quartz, with prismatic schorl, granites, porphyries, &c. South-south-east from Trigomon, between Ottley's Creek and the McIntyre River, the country presents an extensive sandstone formation, with occasional patches of alluvium composed of an admixture of decomposed sandstone and whinstone.

Crossing the McIntyre at Old Trigomon, towards the Dumaresq River, (known in this part of the country as the "Sovereign") flinty slate occurs for one mile in breadth, and extends in a south-easterly direction towards Mandoe Creek; then sandstone for four miles. Here a ridge of fine-grained porphyry, with a dark-colored compact base, presents itself, bearing west and trending northward, with outliers or spurs bearing easterly, at five miles; and from thence to the dividing range between Oaky Creek and Campbell's Creek, (a tributary of the Dumaresq) there are porphyry ridges of some extent.

Continuing my course north-east the country is composed of sandstone, with bosses of porphyry at intervals, apparently spurs from a range to the westward, from thence I found the country to be made up entirely of sandstone and conglomerate extending far to the westward.

Leaving the Dumaresq, and crossing at Bebo, a station of Young's, the course being north north-east, passed over an extensive sandstone country twelve miles in breadth, the country to the east and west being entirely of sandstone, with dense scrubs of impenetrable brigalow; in a creek called Brush Creek, I found a white earthy rock in a waterhole, conchodial in fracture, having the appearance of subsulphate of alumina (but more probably a compact travertin): it laid immediately over the sandstone, which dips to the east. From Brush Creek, a tributary of the Dumaresq, to Cobedemana, on the M'Intyre Brook, slate rocks exhibit themselves.

From Cobedamana (Collins') in a direction north 30° west, crossing a slate ridge bearing easterly for one mile, thence north 15° east, sandstone for three miles to a trap ridge which bore east and west, flanked on the north by sandstone for a mile and a half; here, fording a small tributary of Canning Creek, I observed a mound of pink colored flinty slate, succeeded by a sandstone flat having a breadth of three and a half miles, extending itself westerly; from thence to Canning Creek slate again presents itself, bearing north 20° east, dip east; the slates on the eastern bank of the creek are of a grey color, exceedingly hard, and traversed by quartz. Here I washed for gold but did not succeed in finding any.

Tracing up Canning Creek to a deserted station (formerly Moffatt's), the country is composed of sandstone, extending westward; crossing the creek again, sandstone prevailed for four miles, which give place to altered slates with veins of quartz as far as the junction of the Bodumbah with Mosquito Creek.

From thence I proceeded north to examine a mountain in that direction. I found the rocks to be of a beautiful red jasper, striped and interlaced with white quartz. From

this mountain, which I shall call Mount Jasper, Taylor's Peak, or Milburrabran of the natives, bore 72° by prism compass, distant six miles; two other mountains bore respectively 12° and 350°. the latter distant three miles. I found its summit, as well as those of all the neighbouring mountains, to be composed of jasper, the intermediate rocks in the valleys being slate with much quartz,—a very promising country for gold, but from the absence of water I was unable to examine it.

From these ridges to near the head of Musquito Creek, five miles distant from Mount Jasper, the intermediate country is composed of slate, the summits being invariably of jasper. On this creek I prospected for gold but did not succeed in finding any.

After tracing up Mosquito Creek to its head, and crossing the range which divides its waters from Canal Creek, my course for two and a half miles was over slate, jasper, and quartz; at this point the slates give way to a greenstone trap containing copper pyrites; the bearing of the slates that succeed the greenstone is east,—at four and a half miles compact chlorite with veins of quartz, bearing north-north-west;—at five miles sandstone with slate on either side, the sandstone extending itself until slate rocks again appear at eight miles, and continue for two miles on Canal Creek.

Examined Taylor's Peak and found it and its spurs to be composed of slate, strike north-east, with but little quartz; east from Taylor's Peak, on a spur from that hill the schists dipped to the north, strike east; this spur is flanked on the east by a grey granular trap rock, thence northerly altered slates, with a dyke of vesicular trap containing carbonate of lime; those contiguous to the dyke are chloritic, strike north-east, dip north-west. In many instances the slates were transmuted into cornean, and others contained epignie iron pyrites.

Prospected on Canal Creek, and upon going down to the bed rock found very minute gold. I do not think that gold will be found in remunerative quantity from the paucity of quartz pervading this otherwise favourably constituted country.

From Canal Creek in a north-east direction, the country for five and a half miles was sandy, with occasional ridges of slate; at this point a ridge of ferruginous sandstone extends itself easterly; from thence to the new township of Leyburn, on Canal Creek, the rocks are of slate; from Leyburn to the Condamine River, east-north-east and north-east is sandstone for seven miles as far as Ellangowan (Gammie), situated on Thane's Creek, between which and the crossing place of the Condamine there is an eastern spur of slate rock: the section cut by the river at this part exhibits sandstones and conglomerate, covered by a thin coating of black alluvium with the bed rock occasionally jutting through.

Crossing the plains north-easterly, at the three miles from the ford of the Condamine, I observed an immense quantity of fossil wood lying scattered over the black soil, with scarcely a stone as the exception. The wood is silicified, for the most part veined with chalcedony, the quantity is so large that a square perch of ground would give at least one ton in weight loose upon the grass; they consist of several species, and are very beautiful as regards the preservation of their organic structure; in the neighbourhood there are numerous masses of rolled hæmatite iron ore, and flinty cherts (*eisenkeisel.*) I shall merely repeat (without again entering upon the subject) that in all instances where I have found fossil wood it has been in proximity with trap rocks—*vide* my report upon the Warrambangle Mountains.

The ranges east-north-east are of trap rock, in most cases a hard whinstone; also exhibited in the creek at Felton, (Sandeman's); tracing the creek (Hodgson's) up for three miles, a large quantity of loose coal occurs, which crops out in the creek near the crossing place, it is highly bituminous and inflammable, burning like cannel coal. Mr. Sandeman informed me that he had cut through a bed of coal in the course of sinking a well to the depth of seventy feet.

The whole of the land elevated above the plain is of trappean formation. The following section on Hodgson's Creek, near the junction of Emu Creek, will suffice for the whole. The section presents the following features in descending order, through a boss:—

	ft.	in.
1. Desquamated globular masses, surrounded by loose ash-like earth (similar to that at Gillalambie)	16	0
2. Ochreous vesicular rock, containing pisiform oxide of iron	1	3
3. Blue starch-like clay, with bog iron, concreted on the roots of trees	6	0
4. Soft vesicular rock, containing desquamated angulo-globular masses not vesiculated	5	6
5. Soft brown rock, highly ochraceous, with thin hard intervening seams	12	0
6. Loose brown rock, with small nodules of a green-coloured mineral (prehnite ?)	6	0
7. Hard black whinstone, with radiating scolezite, and cylindrical masses of bitter spar	5	6
	52	3

NEW SOUTH WALES.

The beds of the section above described are frequently exposed in the water-sheds according with their undulations, overlaid by pepperino, tufa travertin, and alluvial drift.

Having fixed my camp on Emu Creek, about two miles from its junction with Hodgson's Creek, I commenced a strict examination of the environs, especially with the hope of finding portions of the extraordinary animals which at a remote period were denizens of this part of the world, but now extinct, and which, for some years past, have excited great interest among the Palæontologists of England.

In furtherance of this view, I carefully searched several of the creeks, and shall now give a few details of the geological constitution of this portion of the Darling Downs.

The plains and flat lands are for the most part slightly undulating, in appearance like arable ploughed lands lying fallow; this wave-like contour may be observed wherever the drainage levels are nearly horizontal, and, as I have previously stated, is occasioned by the rain waters draining over the surface, and in degree assisted by the prevailing direction of the wind.

In the midst of the plains there are numerous water-sheds of large extent, not in all cases taking the lowest levels, but receiving a direction from their having formed a continuity with a series of waterholes or chain of ponds, these holes are round, some elliptical, others linear; many of them are of great depth, with abrupt banks; their form, differing from circular, to oval and linear, apparently consequent upon their being elongated by the action of the freshes acting longitudinally upon the distant links of the chain, so breaking several into one, and producing the linear form.

The holes lay in a broad depression of the plains, in the case of Hodgson's Creek, having a general direction from south-west to north-east, many of them hold water permanently, while others dry up; some are in the course of drying up, accelerated by the treading of cattle upon the margins for the purpose of drinking, and thus puddle the banks in; in most of them the water is good and pure, in others hard, and a few are brackish and not fit for use. In one or two instances, I saw holes perfectly devoid of animal or vegetable life, with the exception of a few dwarf confervæ. In one particular instance, where there remained a considerable quantity of water, animal life appeared to have been recently and suddenly destroyed, judging from the number of dead shells of the mollusks, such as unio, cyrena, melania, &c., and many dead turtles (emys) lying upon the ground, and the flags and rushes being of a sickly hue. Query? May it not have happened that in this instance there was a sudden emission of mephitic gas.

Taking into consideration the position, form, and character, which these waterholes present, I believe it most probable that they have had their origin in the following causes: —That after the irruption of the igneous rocks, and subsequent to the formation of the alluvial plains (by the disintegration of the adjoining ranges,) secondary movements of the earth took place, by which the plains were rent or cracked, forming chasms, and blow holes, kept open by the emissions of gases, and springs, thus maintaining their funnel shape; that many of the springs have been highly charged with calcareous matter is evidenced by the large quantities of travertin deposited upon the margin, and along the course of the creeks. That such has continued for a considerable period is proved by the cementation of drifted matter, such as pebble, shingle, frequently containing fragments of the bones of extinct animals, many of them being much abraded by rolling, whilst others, together with the exuvia of fresh-water mollusks of existing species, (the unios only differing from their having attained a larger size and thickness), are found drifted together with little or no injury, and cemented by calc-sinter, calcareous tufa, and travertin bones have been found at all the various depths at which the alluvial soil of the plains has been penetrated, even from wells at a depth of sixty or more feet, as was the case in sinking a well at Nombi, on the Liverpool Plains; therefore the race of animals now extinct must have existed throughout the period of time necessary for the accumulation of the vast amount of alluvial drift; or the drift must have undergone many mutations, by being swept away and re-deposited.

The bones already collected, so far as I can make them out, without reference to published works comprise the following.

Macropus—*six or seven species,*
Phascolomys,
Diprotodon,
Nototherium?

and an unknown animal which I shall proceed to describe.

GENUS SCHIZODON. *

I am in possession of a portion of the right ramus of a lower jaw of an animal, which from the peculiarity of its dentition, renders it essentially different from any mammifer I am acquainted with, and from the very remarkable form of the first molar, it is one of the most interesting among the extraordinary forms presented by the Australian fauna extinct or recent.

* I have provisionally named it from σχιζω and οδους.

The fragment is of a mature animal, and affords the following dimensions :—

	Inches.	Lines.
Length from the anterior line of the symphysis-menti to the centre of the coronoid process	3	8
—— from the anterior edge of the angle produced by the coronoid process	3	7
—— from the anterior edge of the dental foramen	0	7
Height from the base of the jaw to the alveolar edge for the first molar	2	1
Thickness from the posterior edge of the symphisis to the external surface	1	3
Antero-posterior length of the broken incisor at the edge of the alveolus	0	8½
Transverse length of do.	0	6
Antero-posterior length of the first molar	1	8
Thickness at the base	0	7
Height of enamelled crown anterior	0	8
Do. do. posterior	0	6
Antero-posterior length of the second molar	0	7
Transverse do.	0	4½
Third molar absent, antero-posterior length of the alveolus	0	3

Unfortunately, this morceau is much mutilated, the incisor being broken at its entrance into the alveolus, its form cannot therefore be precisely given; but it is evident that it was curved upwards. The first molar is lunate, the cusps turning inwards, the anterior cusp rising at a salient angle, the edge is trenchant outwards, the second molar is triangular with a large anterior cusp, and a slight ridge passing to a small depressed posterior cusp. There was a third but very small molar evidenced by an alveolus.

The muzzle was very short and broad, the width from one side of the jaw to the other, taken across the coronoid process being equal to its length, viz., three inches eight lines. The articulating surface of the symphisis menti is graduate, and one inch three and a half lines in diameter.

Its affinities had better be left for future discussion, as it is probable that further search may bring to light more remains illustrative of this very singular animal.

I possess some remarkable curved metacarpal and metatarsal bones, from the same locality, which from their peculiar form must have appertained to animals of scansorial habits: I have also portions of femurs of the Diprotodon? of large size; one so nearly perfect before it was removed from the clay in which it was imbedded, as to enable me to append its dimensions, which I take the opportunity of now doing, fearing from its fragile nature that it will not be possible to preserve it entire.

Description and dimensions of the left femur of Diprotodon? found in the bank of Hodgson's Creek, Darling Downs:

	Ft.	in.	lines.
Length from the inner distal condyle along a medial line to the extent of the proximal condyle	2	3	6
Length from great trochanter to the outer distal condyle	1	7	9
Radius of the chord from the outer distal condyle to the great trochanter	0	1	9
Radius of the chord from the inner distal condyle to the proximal condyle	0	4	4
Circumference of the cylinder at the broadest part, including the great trochanter	2	0	0
Circumference of the cylinder at the smallest part	1	1	0
Transverse diameter of the centre of the cylinder	0	4	9
Antero-posterior diameter of the centre of the cylinder	0	2	9
Diameter of the proximal condyle	0	4	9
Distance from the centre of the proximal condyle to the great trochanter (taken obliquely)	1	2	0
Transverse diameter from the proximal condyle to the great trochanter (taken at right angles)	1	0	0
Angle produced (from chord between the outer distal condyle to the great trochanter), to the centre of the proximal condyle 115°.			
Transverse diameter of the two distal condyles	0	7	9
Antero-posterior diameter of the outer distal condyle	0	5	0
Antero-posterior diameter of the inner distal condyle	0	7	3
Greatest breadth of the notch between the two distal condyles	0	1	6
Least breadth of notch between the two distal condyles	0	1	1
Depth of the trochanteriate depression	0	2	8
Thickness of the parietes at the middle of the cylinder varies from ten lines to	0	1	0

NEW SOUTH WALES.

The cervix of the femur tapers gradually from the body to the proximal condyle. There is no evidence of a ligamentum teres, the superior surface is remarkable for its flatness; the trochanter minor is only denoted by a spatulate depression; no third trochanter.

S. STUTCHBURY.

Basalt.

Dip of Strata.

Red lines in No. 2 indicating the strike and position of the chief auriferous Quartz veins of Forest Creek and Bendigo.

Reference.

- Alluvium debris of whinstone and sandstone.
- Sandstone and conglomerate.
- Limestone.
- Metamorphic rock including Schists.
- Serpentine.
- Basalt, Porphyry, etc.
- Granite, Syenite, etc.
- Localities, where Gold has been found.

Country being surveyed

SKETCH SECTION FROM THE RIVER LODDON 2 MILES S. OF BRYANTS STATION OVER MT TARRENGOWER AND MT

NEW SOUTH WALES.

No. 6.

Copy of a DESPATCH from Governor-General Sir C. A. FitzRoy to the Duke of Newcastle.

(No. 72.) Government House, Sydney, June 12, 1854.
(Received October 6, 1854.)

My Lord Duke,

I have the honour to enclose the following returns for the quarter ended on the 31st March last:—

1st. Return showing the quantity and value of gold exported; gold brought to Sydney; and the number of licences granted to dig, search for, and remove gold, to erect temporary buildings, tents, &c., and to carry on business in any way at the Gold Fields.

2d. Return of the quantity and value of gold exported from the colonies of New South Wales and Victoria.

2. The total amount brought to Sydney by the Government escort and by the post-office mails during the quarter was 24,787 ozs. 9 dwts. 18 grs., not including that brought overland from the Ovens, Albany, Adelong, and Gundagai, by the Sydney Gold Escort Company. The licenses to dig, &c. amounted to 6,568*l.* 15*s.* 0*d.*, not including the leases to work auriferous quartz veins, the royalty on matrix gold, and the conveyance of gold by escort.

3. The gold exported from Sydney during the quarter was 65,297 ozs. 9 dwts. 21 grs., value 212,216*l.* 17*s.* 0*d.*; but this, as in former returns, includes the amount brought from Victoria.

4. I also forward a copy of Mr. Stutchbury's 12th quarterly report, and copies of some returns recently laid before the Legislative Council, being a report from the Gold Commissioner of the western districts, a return of places at which Gold Fields have been discovered in the western districts; a similar return for the southern district; a return of the number and description of licences issued in the western district during each month of the year ending on the 31st March last; a similar return for the southern district; and a return of the export of gold at the same date.

1st January 1854.

17th May 1854.

I have, &c.
(Signed) CHARLES A. FITZROY.

The Duke of Newcastle,
&c. &c. &c.

Enclosure 1 in No. 6.

RETURN showing the Quantity and Value of Gold exported; Gold brought to Sydney; and the Number of Licences granted to mine and dig for Gold, to erect temporary Buildings, Tents, &c., and carry on Business in any way at the Gold Fields, &c. &c., and the Amount received from the same during the Quarter ended 31st March 1854.

Gold exported.		Gold brought to Sydney.				Licences.					Fees on Registration of Claims.	Fees on Transfer of Claims.	Le ases to work auriferous Quartz Veins.		Amount of Royalty on Matrix Gold.	For the Conveyance of Gold per Government Escort.	Total Amount received during the Quarter.
						Crown Lands.		Private Lands.									
Quantity.	Value.	From what District.	By the Government Escorts.	By the Post Office Mails.	Total.	To mine and dig. 10s. each monthly.	To erect temporary Buildings for the Purposes of Trading, &c. 10s. each monthly.	To mine and dig. 5s. each monthly.	Total Number of Licences issued.	Total Amount received for Licences.			No.	Amount.			
oz. dwts. grs.	£ s. d.		oz. dwts. grs.	oz. dwts. grs.	oz. dwts. grs.					£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.
* 65,297 9 21	212,216 17 0	Western	17,337 7 6	283 0 0	17,614 7 6	7,347	512	38	7,897	3,939 0 0	20 10 0	–	4	100 0 0	16 13 5½	519 18 9	4,596 2 2½
		Southern	5,596 2 12	286 0 0	5,882 2 12	2,093	26	550	2,669	1,197 0 0	—	2 0 0	–	—	—	167 17 8	1,366 17 8
		Northern	—	1,291 0 0	1,291 0 0	2,845	18	5	2,868	1,432 15 0	—	–	–	—	—	—	1,432 15 0
65,297 9 21	212,216 17 0	—	22,927 9 18	1,860 0 0	24,787 9 18	12,285	556	593	13,434	6,568 15 0	20 10 0	2 0 0	4	100 0 0	16 13 5½	687 16 5	7,395 14 10½
From the Ovens River, Albury, Adelong, and Gundagai, by the Sydney Gold Escort Company - - - - - -					30,672 3 1												
					55,459 12 19												

* Includes a Portion of the Gold brought from the neighbouring Colony of Victoria, but which cannot be distinguished.

Colonial Secretary's Office,
Sydney, 10th May 1854.

C. D. RIDDELL.

GOLD EXPORTED.

Year.	Quantity.			Value.		
	ozs.	*dwts.*	*grs.*	£	*s.*	*d.*
1851 - -	144,120	17	16	468,336	0	0
1852 - - -	818,751	18	17	2,660,946	0	0
1853 - - -	548,052	19	21	1,781,172	0	0
1854 to 31st March -	65,297	9	21	212,217	0	0
Totals - -	1,576,223	6	3	5,122,671	0	0

Enclosure 2 in No. 6.

Encl. 2 in No. 6.

RETURN of the Quantity and Value of Gold exported from the Colonies of New South Wales and Victoria, for the Quarter ended 31st March 1854.

To England.	To Sydney (N.S. Wales).	To Calcutta.	To Ceylon.	To Callao.	Total.	Value.
oz. dwts. grs.	*oz. dwts. grs.*	*oz. dwts. grs.*	*oz. dwts. grs.*	*oz. dwts. grs.*	*oz. dwts. grs.*	£ *s. d.*
EXPORTED FROM VICTORIA.						
563,330 12 22	250 0 0	3,612 10 23	18,583 11 18	1,000 0 0	586,776 15 15	2,200,412 18 8
OVERLAND ESCORT TO SYDNEY.						
—	21,066 4 0	—	—	—	21,066 4 0	78,998 8 9
563,330 12 22	21,316 4 0	3,612 10 23	18,583 11 18	1,000 0 0	607,842 19 15	2,279,411 7 5
EXPORTED FROM NEW SOUTH WALES.					65,297 9 21	212,216 17 0
Deduct gold exported from Victoria to New South Wales, as above -					21,316 4 0	79,935 18 9
Estimated net quantity and value of gold exported the produce of New South Wales - - - - - - - - -					43,981 5 21	132,280 18 3
Ditto ditto ditto Victoria, as above - - -					607,842 19 15	2,279,411 7 5
Total from both colonies - - - -					651,824 5 12	2,411,692 5 8
Estimated net quantity and value of gold exported from both colonies, from 29th May 1851 to 31st December 1853 - - - - -					6,061,875 12 2	21,143,171 19 11
Grand total - - - -					6,713,699 17 14	23,554,864 5 7

Colonial Secretary's Office,
Sydney, New South Wales
29th May 1854.

C. D. RIDDELL.

Enclosure 3 in No. 6.

Encl. 3 in No. 6.

LETTER from the GEOLOGICAL SURVEYOR to the COLONIAL SECRETARY.

Geological and Mineralogical Survey Camp,
South Brisbane, 1st January 1854.

Sir,

I DO myself the honour to transmit herewith, for the information of his Excellency the Governor-General, my twelfth tri-monthly report upon the geological and mineralogical structure of the colony of New South Wales.

I have, &c.
S. STUTCHBURY.

To the Hon. the Colonial Secretary.

NEW SOUTH WALES.

REPORT.

Geological and Mineralogical Survey Camp,
South Brisbane, January 1, 1854.

Upon reference to my last Report, No. 11., it will be seen that I have entered fully into particulars regarding the formation of the various creeks and waterholes, the maintenance and retaining of the water of which is of vital importance and can only be done by the parties occupying these fine runs adopting some mode of protecting the holes and margins of the creeks from being puddled up, and the springs destroyed by the cattle, or in a very short period vast areas of country will be rendered useless, and not available for pastoral purposes, without great labour in forming reservoirs and sinking wells, involving a great outlay of capital.

I cannot insist too strongly upon the necessity of immediate measures being taken for the preservation of the water that remains, even if it should be necessary for the Government to step in, and by force of some legislative enactment protect the occupiers from the effects of their own apathetic indifference.

I have had much personal conversation with many of the most influential occupiers, wherein I have pointed out various modes of accomplishing this desirable object, which, if done at once, the water could be made permanent at a comparatively small expense.

In tracing up Emu Creek I found the geological structure of the country similar to that before described as occurring at its junction with Hodgson's Creek. At this point a good section of the trap rocks may be seen, the creek having cut away the side of the hill, leaving it as a precipitous cliff, presenting the following features, viewed in descending order —

	ft.	in.
1. Desquamated globular masses, surrounded by loose earth, like that at Gillalambie - - - - - -	16	0
2. Ochreous vesicular rock containing oxyde of iron -	1	3
3. Blue starch-like clay, with bog iron ramifying through it, formed upon the roots of trees - - - - -	6	0
4. Soft vesicular rock, containing desquamated angulo-globular masses not vesiculated, - - - - -	5	6
. Soft brown rock, with pea-formed nodules of a greenish mineral like prehnite, with a few hard intervening beds	12	0
6. Similar to 5, but not so ochraceous - - - -	6	0
7. A hard black rock (whinstone) with cavities lined by druses of small crystals, and a radiating mineral scolezite; also tubular or rather cylindrical masses of a sparry mineral, either bitter spar or witherite - - - - -	5	0
	52	9

From thence I crossed the range which divides Emu Creek from King's or Whitting's Creek. This creek, like those before described, presents a succession of waterholes, circular, oval, and linear, and exhibits on the banks, by successive layers of shells, distinct periods of deposition. This is particularly apparent near Clifton, the bed of the creek being composed of a peculiar conglomerate made up of debris, containing shells, bones, &c., and cemented with lime; fossil trunks of coniferous trees upon the same level were observed "*in situ*," as if cleanly sawn. Above this the deposits of different periods may be clearly traced; and it is upon this creek, although comparatively watered at present, that the sad effects caused by the indiscriminate puddling of the banks is most evident, the herds being larger on the Clifton run than any I have before observed. The consequence is, not only an immense destruction of cattle by bogging in the sides, which of itself is a present pecuniary loss to the owner, but attended with the more fatal result to the welfare of the occupier in the loss of water on the run. I have no desire to particularize places, but as a special case must be made out, this example will serve as well as any other.

A flat-topped mountain known by the name of "Table Top" is composed of trap rock, as well as the range dividing Emu Creek from Whitting's or King's Creek, the crests extending to the great dividing range being composed of the same material.

Having returned to Hodgson's Creek, I proceeded to examine Westbrook Creek, the whole country being composed of hard diorite similar to that before described as occurring on other parts of the downs. I here examined a hill known by the name of Bunker's Hill, about one and a half miles south-west from Westbrook, which was also of trap, and from the foot of which some very fine springs of water emanate. These springs, if well fenced, might give a continuous source of water. Descending this creek, I found the trap to assume a basaltic character wherever exposed.

Crossing Gowrie Creek, I proceeded to the junction of Oaky and Pitt's Creek with Westbrook Creek. The banks in many instances exposed a reddish marl, containing calcareous tufa and fragments of bone.

Having thoroughly examined these creeks, I next traced down the Oaky Creek in a north-westerly direction towards Jonderyan (Andrews). The plains are composed of a reddish loam and patches of decomposed trap; travertin abundant in many places, and

especially near the station, where thick beds of it are quarried and burned for lime, parties requiring lime sending thus far, although there is scarcely a mile of any of the creeks that does not present travertin fit for the purpose. The ground around is strewed with broken down conglomerate.

In the creek, two or three hundred yards from the house, there is a fine seam of coal four feet thick, and highly inflammable, leaving a white ash, and would do well for the manufacture of gas; iron ore is also abundant, traversed veined (i.e.) with carbonate of iron and calc spar. The sandstone in which the coal and iron occurs dips north west. The travertin rests upon the sandstone. One mile below the station on Oaky Creek there are bands of iron ore forming small ridges bearing north-west, with a dip to the north-east. The sandstone is fine grained and of a cream colour, fitted for building purposes, advantage of which has been taken by Mr. Andrews, in the construction of new buildings.

Thus in this locality there are good iron ores, coal, and lime, the close approximation of which, for the manufacture of iron, is a great desideratum, and may at a future time prove of immense economic value.

From thence in a north-westerly and northerly direction, crossing a country composed of trap, except in places where the trap being removed has exposed the coal measures which are beneath, crossing a very dense forest called the "Nine Mile Forest" to Myall Creek,—the country was wholly composed of sandstone (coal measures.) Here I was informed upon good authority that at Gogg's station on the lower Condamine there are beds of coal varying in thickness from nine to twelve feet, which, from the country being flat and otherwise uninteresting, I did not delay time in investigating it, as my informant belonged to the Surveyor General's Department. There is also coal at Dolby, and near Jimba, and at various other parts of the Condamine.

I was shown at Dolby, a Government township on Myall Creek, the jaw of a wombat (Phascolomys Mitchellii) and other larger bones, obtained at a depth of sixty feet from the surface, while sinking a well.

The fact of bones being found at such depths, while in other places they are near the surface would at first sight appear to be evidence of their having existed throughout the period of time necessary for the deposit of sixty or more feet of alluvial matter. This, I presume, is not the case, but that their being found at such depths results in the watersheds having altered their course, and carrying the bones with the other drift, and filling up and levelling some large waterhole, the bones, from their size and lightness, being the first deposited.

In a south-easterly direction I passed over a country composed of the debris of sandstone, distance seven miles, no mineral worthy of notice occurring.

Thence, north-easterly, I traced up Myall Creek as far as the first station of Messrs. Hope and Ramsay, crossing thick beds of travertin flanked by trap. At this place I found a few bones in the creek. Proceeding from thence in an east-north-easterly direction across Rosalie Plains, the country consisted of trap until within a mile of the principal station of Messrs. Ramsay and Hope, where a ridge of sandstone came in, with thick beds of travertin resting upon it.

About one mile south from the station there is a ridge of ferruginous sandstone, weathered into very singular forms, principally tetrahedral and rhomboidal, the nucleus of each being solid, but desquamated on the edges and sides, forming a series of laminations, without doubt occasioned by the proximity of trap rock, thus partially transmuting the sandstone.

The sandstone continues as far as the Bowra Creek. In examining this creek I found bones much broken and waterworn (proving a drift from some considerable distance); among them a large molar tooth, curiously punctured and reticulated.

From thence I proceeded to Gowrie, a distance of ten miles, over a sandstone country, until reaching the Sugarloaf, from which mountain to Gowrie, including the immediate ranges, trap rock of a hard basaltic character presents itself.

The great dividing range, wherever visited, I found to be composed of trap rock.

Tracing up Gowrie Creek, I observed in many instances basaltic trap in a horizontal position.

Having examined the ranges dividing Oaky from Gowrie Creek, I found them to be composed wholly of a loose trap. I next ascended Gowrie, a double-peaked mountain, and found it to be of fragmentary trap at the base, about one-third up a conglomerate composed of basaltic fragments cemented by volcanic ash or trappean debris, while the remaining part of the mountain is of columnar basalt, principally vertical, while that on the summit is horizontal, or at an angle closely approaching it.

NEW SOUTH WALES.

From thence I extended my survey westerly, crossing Westbrook Creek, for the purpose of examining the country in that direction, bounded by the Condamine. Mount Irving, Mount Maria, Mount Russell, the Sugar Loaf, and adjacent ranges, I found to be composed of trap, flanked by extensive plains similar to those already passed over. From thence to Mount Rolleston the country still exhibits the same character. North-east and by north similar features present themselves. I may add that in many instances in the creeks sandstone is exposed, but in area too small to be pourtrayed, the water of the creek having cut through the overflow of trappean stuff described as occurring between Bell's Mountain and Cobbedah, in Report No. 10.

Traced up Gowrie Creek, taking a south-easterly course, to the "swamp," four miles north-west from Drayton. The ground passed over was of trap formation.

From this point I traced down Gowrie Creek from its head, which for three to four miles was composed of trap with crystallized chabasie; at six miles an extensive formation of compact travertin with trap traversed by calc spar.

Examined the ranges east of the swamp, and ascended the summit of the dividing range. The country consists of decomposed trap of a reddish hue, containing much iron. The eastern flanks of the range consist of a greyish trap, containing chrysolite, garnet, and iron, exceedingly brilliant, of a steel blue color (oligist). The extremities of the shorter outlying spurs in many instances present bold cliffs, and have a basaltic character. Descending an eastern spur, sandstone was met with two miles from the summit of the range. From thence south-east and by east, over a very broken country to a high flat-topped mountain, the country is composed of whinstone.

Southerly from the swamp, I again examined the dividing range, and found its constituents to be the same as before described.

A cutting made in the new road down the range presents the following arrangement in descending order: the upper bed exposed consists of a decomposed trap (whinstone), containing angular fragments of the same; this is succeeded by a thick stratum of angulo-globular masses of hard blue whinstone, imbedded in a decomposed trap, and traversed by veins of carbonate of lime, also much decomposed; beneath this a vesicular trap of a pale pinkish orange colour, containing chabasie in large crystals, scolezite, and calc spar; this is succeeded by a hard greenish whinstone with crystals of calc spar, then compact chlorite and a trap rock containing chlorophæite; this is succeeded by a trappean ash of a french gray color, of a semi-crystalline starch-like character, resting upon a bed of similar material of a brick-red colour. At two and a half miles from the summit of the range there is sandstone, much of it highly ferriferous. This sandstone is of a peculiar character and colour, and somewhat resembles that found on Rocky Creek near Pringle's station. From hence to Flagstone Creek, sandstone.

Traced up Flagstone Creek. The bed, and also the hills that flank the stream, are of sandstone backed by whinstone spurs from the main range. I am convinced that all the subordinate ranges are of sandstone. Hay's Peak is trap, and is one of those remarkable flat-topped mountains produced as volcanoes of elevation beneath the sea.

The intermediate country between Drayton and the "swamp" consists of trap rock. I observed in the spoil of a well at Drayton a reddish grey trap, with large crystals of chabasie, similar in every respect to that found on the eastern slopes of the great dividing range.

From Drayton I descended the great dividing range, and traced Flagstone Creek as far as Turner's, the whole distance, with the exception of two and a half miles of the main range, being sandstone; then, following down Lockyer's Creek as far as Grantham (Pitt's), the bed and flanks of the creek presented nothing but sandstone. A range three miles south-west from Grantham is composed of red trap. The sandstone east of the trap is micaceous, fissile, and nearly vertical.

The country between Andurramba Creek and Lockyer's Creek (with the exception of the dividing range and its minor spurs, which are of trap,) is sandstone. Two miles south of Grantham there is another small range of trap rock.

From Grantham to the crossing on Lockyer's Creek (Gatton) is sandstone, with much fossil wood; from thence in a south-easterly direction to Sandy Creek the same character manifests itself.

From Sandy Creek to the foot of "Little Liverpool," a range which divides the waters of the Brisbane from those of the Bremer, the country still presents the same geological structure, until nearing Mount Melbourne, which is trap, as well as the range that connects it with Hay's Peak.

Examined the Little Liverpool Range, and found it to consist of a ferruginous sandstone, much disturbed, bearing south-west and by west to the great dividing range.

Crossing the Little Liverpool Range, I examined the north and western branches of the River Bremer. The River Bremer, Warrill and Purga Creeks, to Deebing Creek, on examination, presented one vast area of sandstone.

Examined the bed of Deebing Creek, and observed a conglomerate containing fossil wood and agate; the latter was particularly abundant, independent of that found in the conglomerate.

Crossing Deebing Creek, I proceeded in an easterly direction for two miles, sandstone being the principal rock. This is bounded by a ridge of limestone bearing south 65° east, and extends itself for twelve or more miles between Deebing and Bumdumbah Creek. From thence in a southerly direction for twelve miles, sandstone.

Four miles from Ipswich, in a south-easterly direction, I observed a small patch of slate.

From Bundumbah Creek, crossing Woogoroo and Oxley's creeks, and until arriving within three miles of Brisbane, the country presents one unbroken trap of sandstone. At this point schists first make their appearance, and continue and extend into the town of South Brisbane.

From Brisbane to Cleveland Point, crossing Norman's Creek and Bulimba Creek to Tangalpa Creek, the country is schistose. The quartz, although tolerably abundant, was of small size.

At Tangalpa Creek ridges of conglomerate occur, trending south, and about one mile in breadth. This conglomerate was remarkable from the large size of the fragmentary quartz embedded therein, and contained much iron. The flanks of this ridge were white as with hoar frost from minute particles of quartz. From this ridge to within one mile of Cleveland the schists again make their appearance. From thence to the waters of Moreton Bay a red soil is exhibited, apparently caused by the decomposition of transmuted sandstone.

The bearing of the schists at North Brisbane is south-south-east, 5° east, dip east. These schists are more compact than those at South Brisbane, and are slightly veined with quartz; and I doubt not the truth of the report, that minute particles of gold have been found, but from the paucity of quartz in these schists it is not at all probable that it will be obtained in remunerative quantity in Brisbane or in the immediate vicinity.

Running down the rivers Bremer and Brisbane to the town of Brisbane, numerous outcrops of coal may be seen in the banks. In several instances the working of coal has commenced, for the supply of the steam vessels running upon these rivers. The works are situated half-way between Ipswich and Brisbane, as open adits or day levels, on the sloping banks of the rivers, producing, under these circumstances, a very fair sample of coal. There is no question that as the works are extended inland the coal will be of better quality, from not being exposed to the influence of the atmosphere, which, acting for ages upon the banks, has much deteriorated it.

As regards the coal fields above referred to, which are so important to the steam navigation of Moreton Bay and its rivers, independent of internal communication at a future day, and as the enterprize of Mr. Williams, who, I believe, is the only person yet engaged in opening and developing the coal fields north of the Hunter River, I deem it proper, in this the infancy of coal mining in the district, to offer a few words of advice with regard to the mode of working, learning that there is a temporary closing of the works occasioned (as it is reported) by the falling in of the roof, consequent upon the injudicious removal of some of the pillars.

The pillar and stall mode of working, the most ancient system, still continued in the majority of cases in England, is difficult to alter, from several causes, such as the proverbial dislike to innovation, and from the system having been carried to a considerable extent, rendering it very difficult and expensive to carry the alterations necessary from one system to the other into effect; but in opening new works all improvements ought to be taken advantage of; therefore it is that I would strongly recommend that the "broad wall" should be adopted, in preference to the "pillar and stall" system, for the following reasons:—

The pillar and stall ultimately involves great pecuniary loss, the pillars, upon their removal, being considerably crushed by the incumbent weight. This, combined with the more important fact of its being extremely dangerous to life, ought to be sufficient, even if it were more economical, to induce parties to adopt the safer principle.

It will only be necessary for me to point out the main difference between the two systems, to satisfy parties, not prejudiced by ancient usage, of the advantage of the one mode of working over the other.

The pillar and stall system consists in driving a "main way" through the coal in the direction of its nearest level, and cutting stalls, generally about the size that would be requisite for stabling a horse, separated by pillars of coal of sufficient size to support the roof, according to the character of the coal and roof, and thus by a series of ways and stalls working the coal to the extent of their boundary. Having attained this point, it is usual to remove the pillars, by working back to the pit or adit, as the case may be, leaving the roof to fall behind them; but it too often happens, from the desire to mix the small coal of the pillars with the stall coal, that they remove some of the pillars before they have reached their boundaries. The consequence is, that portions of the roof fall, leaving cavities which become recipients of the carburetted hydrogen gas evolved from the workings, which, from its lightness, compared with atmospheric air, ascends into the hollows, cracks, &c., which may have been caused by the falling in of the roof, thus forming a natural gasometer, the danger arising from which is, that upon any sudden depression of the atmosphere the carburetted hydrogen by its expansion will underflow into the workings, and, mixing in a certain proportion with the common atmosphere, becomes explosive; and to this may be attributed all the dreadful explosions and loss of life so frequent in the northern and Welch districts, where this system is so universally adopted; while, on the contrary, in the Somersetshire and Gloucestershire collieries, where the "broad wall" system is carried out, there is scarcely a recorded instance of loss of life by firedamp. It is not because the south-western coal yields less gas than the northern; for the contrary is well known, as well by experiment as by its being largely used in the manufacture of illuminating gas.

NEW SOUTH WALES.

The "broad wall" method of working consists in taking a face of coal, say from ten to thirty or more yards, fetching the whole of it without leaving pillars, piling the spoil here and there in what is termed pinnacles, and supporting the tram and air ways by means of timber, of which, although an expensive item in England, there is an ample supply in this country. By this means a perfect system of ventilation may be carried on (so difficult to preserve in the pillar and stall system), preventing danger from the accumulation of gas, and therefore avoiding the necessity of employing the Davy and other safety lamps.

I am induced to offer these observations from observing that the small commencement that has been made in working coal in this district is upon the northern principle; I presume in consequence of the more modern and improved mode of working not being known.

After crossing the dividing range, the sudden change of air and diet caused a disorganization of the skin; so much so as totally to prevent me from riding; and as some considerable time was required for repairs to my carts, harness, &c., I took the opportunity of filling up the time by visiting the islands of Moreton Bay, by means of a boat.

I find the principal island, "Stradbroke," so far as I examined it, viz., along the western shores, to consist of sandstone ("coal measure"), particularly well seen at the old Government settlement and Burial ground at Dunwich. The length of the island from north to south is about forty miles, its greatest width not exceeding eight miles. The summit of the range is table land, finely grassed, and watered by several small lagoons.

Moreton Island is also of sandstone, exhibited in a high central range, which is much broken, and covered by dense scrub; so much so as to render it very difficult to examine without great loss of time and much labour. The shore is entirely made up of sand *dunes* of considerable height, some rising from 300 to 400 feet, the sand comparatively of modern drift, quite loose, being merely protected by the scrub.

The smaller islands of St. Helena, Green, Mud Island, and others, are composed almost entirely of drift sand, covering a nucleus of sandstone.

Immediately west of Dunwich lie several inlets, the largest of which is Peel Island, requiring especial notice, for on this island there is indubitable evidence of modern upraising. The eastern end is very rugged, composed of metamorphic sandstone conglomerate, so highly altered that were it not for the quartz pebbles it would readily be mistaken for trap rock. In proof of its modern but gradual upraising, I offer the following facts: the whole length of the beach on the eastern side, above the present low-water line, is studded with dead coral *in situ naturali*, much of it never having been removed from the place in which it lived, principally consisting of the genera meandrina, astrea, and other shallow water corals. It is known that these genera, although capable of living in very shallow water, cannot exist the length of an ebb tide, unless there is a spray sea wetting them; and as it does occur that at occasional times during change of wind or calm they would be left perfectly dry for six or seven hours, then, from the delicate nature of their structure, they would be destroyed, and such is the case here exhibited. In addition, I find that in the shallow waters, now mere sandbanks (which may be waded at a depth of three or four feet), of areas of hundreds of acres, there may be seen pocillopora, caryophylleæ; and other genera which only exist in tolerably deep water (i. e.), from five to ten fathoms. No living specimens of the latter genera are now to be found in the bay; I endeavoured to obtain them by the dredge, but without success; but on the shallow banks, always covered, even at low water, fine examples of the first named genera may still be found alive. Further, several feet above the present high-water line, clumps of dead rock oysters may still be seen adhering to the rocks on which they grew. The above facts, taken together with those seen in the islands of the River Hunter, described in the report of my trip to Newcastle and Maitland in December 1850, I think are sufficient to prove that the whole of this vast island is still gradually emerging from the ocean; but as we have no proof of the quiet upheaving forces ever having exerted themselves at a greater rate than that which is known to have taken place in the northern parts of Europe (Scandinavia and Lapland), viz., three feet per century, there need be no fear of the harbours being obliterated and destroyed for useful purposes, although, in their slow and imperceptible movements, currents and channels will be constantly changing; it merely requires, on the part of the harbour master or pilot, constant attention to the deep water ways of this port, and that they are properly buoyed,

I did not visit the northern islands, viz., Bribies and others, in consequence of it being reported that it was necessary to go armed, the natives having on several occasions behaved treacherously. I hope to be enabled to do this work at a future time, the "Glasshouses" and other mountains being very singular in their form, and worthy of examination.

Having made a very careful examination of the Darling Downs, its creeks and waterholes, for the purpose of collecting specimens of the very curious and interesting fossil animal remains,—of which, considering the limited time I felt myself justified in devoting to this branch of the science, I have procured a large collection, consisting of so great a number of species, I believe undescribed, that I now consider (for want of books of reference) it would be inexpedient to attempt their description in the bush, and also because I believe it to be likely that there are many that I have not obtained already in the Australian Museum or in private collections,—therefore I think it will be far more judicious to wait an opportunity of leisure, either at Sydney or in England, where a complete work upon the extinct fauna of the colony could be brought out and published.

NEW SOUTH WALES.

With these views, I shall content myself at present by merely mentioning that among the fossils collected I observe many that are quite new; for instance, several species of diprotodon, nototerium, a gigantic phascolomys, and numerous species of macropus, and hypsiprimnus, and a portion of the jaw of a carnivorous animal. Of reptilia, I have a tooth of a large lacertian, equal in size to the megalosaurus of Europe; two species of true crocodile, and one of gavial; also a fragment of a chelonian (emys), and the remains of two species of fishes. The reptilia and fishes have not hitherto been found in the alluvium of this country, although I have been informed that several species of the latter have been discovered by the Reverend W. B. Clarke, in the carboniferous formation af the Hunter and neighbourhood of Sydney.

S. STUTCHBURY.

Enclosure 4 in No. 6.

LETTER from Mr. Commissioner GREEN to the COLONIAL SECRETARY.

Encl. 4 in No. 6.

Gold Commissioner's Office,
Bathurst, May 17, 1854.

SIR,

I DO myself the honour to forward, for the information of his Excellency the Governor General, a report on the Gold Fields of my district up to the end of last month.

The population of this Gold Field has somewhat decreased since my last, and the number of licences obtained here does not now exceed sixty. Several instances of great success have come under my knowledge, and I believe the few diggers still clinging to the present Gold Field have no reason to be dissatisfied with the results of their perseverance. Ophir.

There are two public houses at Ophir. Postal communication with Sydney once a week.

The Government establishment consists at present of one clerk, one sergeant of police, and two troopers, two of whom are mounted.

The diggings at the Turon and neighbourhood continue still to prosper, and gold has been discovered in several new localities. The Turon.

On the Two-mile Creek, a tributary of the Turon, some new diggings have been opened, with every prospect of future success; want of of water has for the moment retarded their developement. On the Whattle Flat table land, and about six miles from Sofala, in the direction of Bathurst, very rich deposits have been found; and there are at present from 400 to 500 diggers on this flat, which much resembles the table land of Tambaroura, the formation, timber, and soil being identical with those of that place in appearance; and should water be obtained in sufficient quantities I should not be surprised to see these diggings maintain an equally large population. In the meantime buildings are springing up in all directions, and the town of Sofala bids fair to migrate from the river bank to the high lands. Several houses have already been removed and others are being pulled down for the purpose of removal. Public houses have sprung up like mushrooms, and are already engaged in their debasing traffic.

On the Turon itself, new ground has been marked off on Erserine Flat, and the few who have as yet got down to the washing stuff have been well repaid for their labour.

Messrs. Boyd, Lestage, and company are making vigorous efforts to enable them to commence operations on Ration Hill; their intention being to form a reservoir on the top of the hill, to which, a height of some ninety feet, the water will be raised by means of a steam pump. From the reservoir a sluice will be constructed, and the whole surface of the claim down to the bed-rock will be submitted to its operation. This undertaking I consider is of much importance to the further development of the Turon, as should this method prove remunerative (and I believe it will), every point on the river may be worked in a similar manner, with a nearly equal chance of success. The Messrs. Eaton's company, who are working an auriferous tract at Pattison's Point, have, after much labour and expenditure, brought their claims into something like working order, and I believe are now procuring a fair quantity of gold, considering that they are still at what may be termed preliminary operations, their exertions hitherto having been principally directed to facilitate the after procuring of gold.

At Palmer's Oakey Creek, a tributary of the Turon, a few diggers are at work, with tolerable success. At all events the yield appears sufficient to support two public houses, erected at this out-of-the-way place.

These new discoveries on all sides of the Turon tend to exhibit it as the centre of a very extensive Gold Field, independent of the riches contained within its own valley; but with a gold bearing country of such vast extent, and with so small a number of prospectors, it is only by mere chance that a new field is stumbled upon. Turon.

There are forty-four public houses on this river and neighbourhood. The Government establishment consists of two assistant commissioners, one sub-gold commisssioner, and one clerk. Public Houses.

One sergeant major of gold police, one sergeant and nine troopers, five of whom are mounted. Police.

NEW SOUTH WALES.

There is a post to Sydney three times a week, and an escort once a week.

Post and Escort.

The population of this Gold Field continues to exceed that of any other in my district; but in spite of the increased numbers the yield appears to be satisfactory; a very large tract of promising country still remains unworked, and I consider that this field will for some years continue to afford profitable employment to a considerable population.

Tambaroura. The Dirt Hole. Lower Pyramil. Lower Turon.

Near Golden Gully, a quartz vein of exceeding richness has been discovered by and granted to Mr. J. Withers. The specimens are very beautiful, and the matrix richer than any I have seen elsewhere. As yet, only a thread of quartz, less than a foot wide, and running parallel with the main vein, has been opened. Should the mass, on trial, prove equally impregnated with the precious metal, there can be little doubt but that the claim will prove valuable.

The Royal Vein at the Dirt Hole is being worked by Messrs. Cole and Company; but their machinery, although good of its kind, is on too small a scale to effect much. The yield from this quartz is very considerable, and with better machinery it would, I think, pay well for crushing. At present they only grind about one ton per week, the gold in this vein being so fine that the matrix must be completely pulverized before the quicksilver can do its work.

Several other rich veins are known to exist in this locality; and to promote their being worked, Mr. Spence, the manager of the Colonial Gold Company, intends erecting large crushing mills near Tambaroura. This will enable all who possess valuable veins, but want the means to procure the necessary and costly machinery, to make terms with Mr. Spence, and develope their claims; and I cannot help recording here the benefit that the manager of the Colonial Gold Company has conferred on the Gold Fields of this district by his energy and pereverance in testing the one branch of gold mining to which he has mainly devoted his attention, viz., quartz crushing.

On the lower Turon there are still about 20 diggers at work, with average success; and much ground remains untouched.

The Lower Pyramil is at present deserted, and at the Dirt Hole very few miners remain.

Public Houses.

There are now 26 public houses in the Tambaroura District.

A large market garden is now flourishing on the piece of land applied for some time ago by William Wade, and vegetables are procurable at a reasonable price. This undertaking has proved highly remunerative to the projector, and is a great convenience to the population.

Police.

The Government establishment at Tambaroura consists of one assistant gold commissioner, one sub-gold commissioner, one sergeant, and seven troopers of the gold police, five of whom are mounted.

Louisa Creek.

The operations of the Colonial Gold Company have nearly arrived at that point when the real value of the claims may be fairly tested, and the question whether this particular vein will pay or not will soon be determined. The large engine has been at work for five or six consecutive days, and, as far as I can ascertain, with profitable results.

The machinery works beautifully, and answers as well as could be wished. I understand it is capable of crushing two tons of quartz per hour. Since my last report a great amount of work has been done on these claims. An enormous dam has been constructed, holding back some thousands of tons of water. Permanent kilns for calcining the quartz have been made, and numerous buildings erected. The labour under ground has also been considerable, and numerous piles of the matrix await the commencement of regular operations, the principal aim hitherto having been directed to the one end, of preparing every thing for continuous working, when once enabled to commence crushing.

Louisa Creek.

These works are well worthy the inspection of all who feel interested in gold mining.

A collector of royalty resides near the works.

There are still about 100 diggers on this creek.

The Meroo and its tributaries. Upper Pyramil.

The numbers on this Gold Field have varied little since my last report, the population generally being of a settled description. Indeed evidences of a more healthy style of occupation are visible on all our Gold Fields; good huts have been erected, gardens made, and hives of bees are frequently seen about the digger's cot. Women and children in a much larger proportion now follow their relatives to the diggings.

The Meroo.

New places are occasionally opened on this river, and generally with success; altogether I believe the diggers have small reason to complain, Ground in this neighbourhood that would employ large numbers still remains untouched for want of a sufficient population. At the Pyramil, on Mr. Suttor's land, a new gully has been tested with every promise of success, nuggets as much as six ozs. in weight have been taken out, and some of the diggers have already done well. There are at present only some twenty to thirty on this spot, which in appearance, is similar to thousands of acres surrounding it, perhaps equally rich. There are twenty-two public houses in the Meroo District, a post once a week to Sydney and a weekly escort *via* Sofala.

Public Houses. Post. Escort.

Police.

The Government establishment consists of two assistant commissioners, one sub-commissioner, one sergeant, and eight troopers of gold police, seven of whom are mounted.

Burrendong.

Burrendong has lately suffered a decrease in numbers, but I feel confident that the large tract of gold producing country in this neighbourhood will ere long again attract the diggers. At present there are not more than 100 miners at work on this field.

Public Houses.

There are two public houses at Burrendong.

NEW SOUTH WALES.

The Government establishment consists of one sub-gold commissioner, one corporal and two troopers of gold police, two of them mounted.

Police; Winburndale.

There are about seventeen diggers on this creek, which yields a small but tolerably certain return for labour. A party of Americans have commenced cutting a race, and intend sluicing the alluvial, an operation that would be found remunerative on this as well as on numerous gold bearing creeks, where the yield is not so large as on some of the more favourite fields.

Davy's Creek Caleula and Brown's Creeks.

Davy's Creek to which there was some time ago a great rush, is now again deserted; and on Caleula and Brown's creeks as well as many of the minor Gold Fields, there are still scattered parties at work.

In conclusion, I would beg to remark that I have no reason to believe the western Gold Fields less productive than formerly; but the quantity of gold forwarded by escort from this district must not be viewed as exhibiting a correct return of the produce. So many instances have lately come under my own observation of parties conveying their gold to Bathurst and Sydney, that I feel convinced we much under-rate the quantity transmitted by private hand.

The price of gold on the field, approximating as it does so closely to the value in Sydney, makes even the small escort-fee an object with buyers; and to save this trifle hundreds of ounces are forwarded at great risk, to Sydney, by private opportunity.

Many new diggings have been discovered since my last, in the neighbourhood of the older Gold Fields, but the mining population continues to be too limited in number to spread over the country in search of the precious metal in entirely new localities.

There are now 100 public houses on and near the Gold Fields of my district; the population I estimate at about 7,000 men, women, and children: being one public hous ef or every seventy head of population.

I regret to state that drunkenness, on the Gold Fields as elsewhere, is on the increase, and that crime, which generally follows in its train, is not more unfrequent. I can only attribute it to the generally flourishing state of the diggers.

Rough carpenters are receiving 4*l.* 10*s.* per week, and mining labourers 3*l.*, and with provisions very little higher than in Sydney; indeed butcher's meat is less.

It might not perhaps have been out of place, when remarking on the increase of drunkenness, for me to have brought under the notice of the Government the number of lunatics, *from drinking*, to be met with on the Gold Fields, or in the goals to which they are consigned for safety to themselves and others.

I can hardly believe that drinking anything but drugged liquors would produce such frequent and fearful prostration of the powers of the mind; and I would, under the impression that deleterious drugs are in some cases mixed with the liquors retailed at the diggings, suggest the appointment of an officer, whose duty it should be to inspect and analyse at any moment the stock of a publican, with power to seize all improper mixtures. I believe the appointment of a zealous and competent officer for this end would have a beneficial effect upon the health of the digging population.

I have &c.,
CHS. H. GREEN,
Gold Commissioner, Western District.

Encl. 5 in No. 7.

Enclosure 5 in No. 6.

RETURN of Places at which Gold Fields have been discovered in the western district.

Turon River and its tributaries.	Frederick's Valley.
Macquarie River.	Sewell's Creek.
Meroo River.	Gilmandyke Creek.
Louisa Creek.	Brown's Creek.
Tambaroura Creek.	Caleula Creek.
Pyramil River.	Forster's Creek.
Dirt Hole Creek.	Winburndale Creek.
Bruce's Creek.	Green Valley Creek.
Cudgegong River.	Wattle Flat.
Mitchell's Creek.	Dun-dun Creek.
Burrendong.	Davy's-Creek.
Mookerwa.	Cherrytree Hill Creek.
Ophir, Summerhill, and Lewis' PondsCreeks.	

CHAS. H. GREEN,
Gold Commissioner, WesternDistrict.

NEW SOUTH WALES.

Encl. 6 in No. 6.

Enclosure 6 in No. 6.

RETURN of Places at which Gold Fields have been discovered in the southern district.

1.—Abercrombie River and its tributaries, including Tuena.
2.—Araluen Vale, with a portion of the Dena River.
3.—Major's Creek, Bell's Creek and Deep Creek, all falling into the Araluen Valley.
4.—Jembaicumbene Swamp, and its tributaries or feeders.
5.—Mongalo River, and its tributaries, particularly Fagan's Creek on the eastern and the Tantulian and Sawpit creeks on the western side.

WM. ESSINGTON KING,
Gold Commissioner for southern district.

Encl. 7 in No. 6.

Enclosure 7 in No. 6.

RETURN of the Number and Description of Licences issued at each of the Gold Fields in the Western District, and the Amount received thereon, during each Month of the Year, from 1st April 1853 to 31st March 1854.

Months.	Gold Fields.	Fees paid on Quartz Veins.	Fees paid on Gold per Escort and Sale of Bags.	Transfer of Claims, 10s. each.	Licences. Crown Land. 30s. each.	Licences. Crown Land. 15s. each.	Licences. Private Lands. 15s. each.	Licences. Private Lands. 7s. 6d. each.	Licences. Traders, 30s. each.	Licences. Foreign, 60s. each.	Total number of Licences issued.	Amount received.	Quarterly Amount.
1853			£ s. d.									£ s. d.	£ s. d.
April.	Sofala	—	—	8	877	37	—	—	123	—	1,037	1,530 15 0	
	Tambaroura	—	5 18 10	—	513	50	—	—	50	—	613	887 18 10	
	Avisford	—	—	—	523	36	9	—	59	—	627	908 5 0	
	Ophir	—	—	—	81	6	—	—	8	—	95	138 0 0	
	Bathurst	—	—	—	43	16	—	—	—	—	59	76 10 0	
	Royalty Fees	—	—	—	—	—	—	—	—	—	—	2 14 0	
	Totals	—	5 18 10	8	2,037	145	9	—	240	—	2,431	3,544 2 10	3,544 2 10
May.	Sofala	—	—	1	744	28	—	—	115	—	887	1,310 0 0	
	Tambaroura	—	—	—	512	79	—	—	50	—	641	902 5 0	
	Avisford	—	—	—	401	39	9	8	55	—	512	723 0 0	
	Ophir	—	—	—	63	7	—	—	9	—	79	113 5 0	
	Bathurst	1	—	—	8	4	—	—	—	—	12	40 0 0	
	Royalty Fees	—	—	—	—	—	—	—	—	—	—	5 16 2	
	Totals	1	—	1	1,728	157	9	8	229	—	2,131	3,094 6 2	3,094 6 2
June.	Sofala	—	—	4	661	—	—	—	81	—	742	1,118 0 0	
	Tambaroura	—	—	3	511	22	—	—	68	—	601	886 10 0	
	Avisford	—	—	1	437	7	20	—	56	—	520	760 15 0	
	Ophir	—	—	—	70	15	—	3	10	—	98	132 7 6	
	Bathurst	—	—	—	9	—	—	—	—	—	9	13 10 0	
	Royalty Fees	—	—	—	—	—	—	—	—	—	—	2 2 10	
	Totals	—	—	8	1,688	44	20	3	215	—	1,970	2,913 5 4	2,913 5 4
											Total	-	9,551 14 4
July.	Sofala	—	—	3	303	20	—	—	73	—	396	580 10 0	
	Tambaroura	—	—	3	498	35	—	—	50	—	583	850 5 0	
	Avisford	—	—	—	350	35	11	—	52	—	448	637 10 0	
	Ophir	—	—	—	75	8	—	—	6	—	89	127 10 0	
	Bathurst	—	—	—	5	—	—	—	—	—	5	7 10 0	
	Royalty Fees	—	—	—	—	—	—	—	—	—	—	13 14 6	
	Totals	—	—	6	1,231	98	11	—	181	—	1,521	2,216 19 6	2,216 19 6
August.	Sofala	—	—	2	249	40	—	—	84	—	373	530 10 0	
	Tambaroura	—	—	—	544	34	—	—	50	—	628	916 10 0	
	Avisford	—	—	—	521	35	13	3	41	—	613	880 2 6	
	Ophir	—	—	—	102	21	—	—	6	—	129	177 15 0	
	Bathurst	—	—	—	—	—	—	—	—	—	—	0 0 0	
	Royalty Fees	—	—	—	—	—	—	—	—	—	—	18 1 2	
	Totals	—	—	2	1,416	130	13	3	181	—	1,743	2,522 18 8	2,522 18 8
September.	Sofala	—	—	6	317	41	—	—	100	—	458	659 5 0	
	Tambaroura	—	—	—	388	20	—	—	50	—	458	672 0 0	
	Avisford	—	—	—	509	71	9	1	41	—	631	885 7 6	
	Ophir	—	—	—	179	26	—	—	6	—	211	297 0 0	
	Bathurst	6	—	—	—	—	5	—	—	—	5	153 15 0	
	Royalty Fees	—	—	—	—	—	—	—	—	—	—	17 12 5	
	Totals	6	—	6	1,393	158	14	1	197	—	1,763	2,684 19 11	2,684 19 11
											Total	-	7,424 18 1

NEW SOUTH WALES.

Months.	Gold Field.	Fees paid on Quartz Veins.	Transfer on Claims, 10s. each.	Licences. Crown Land, 10s. each.	Licences. Private Land, 5s. each.	Licences. Traders, 10s. each.	No. of Licences issued.	Amount received. £ s. d.	Quarterly Amount. £ s. d.
1853 October.	Sofala	—	14	1,066	—	50	1,116	565 0 0	
	Tambaroura	—	—	489	—	36	525	262 10 0	
	Avisford	—	—	686	11	35	732	363 5 0	
	Ophir	—	—	282	—	6	288	144 0 0	
	Bathurst	2	—	11	5	—	16	56 15 0	
	Royalty Fees	—	—	—	—	—	—	20 13 1	
	Totals	2	14	2,534	16	127	2,679	1,412 3 1	1,412 3 1
November.	Sofala	—	7	1,006	—	—	1,066	506 10 0	
	Tambaroura	—	4	547	—	—	547	275 10 0	
	Avisford	—	—	666	25	37	728	357 15 0	
	Ophir	—	—	292	—	—	292	146 0 0	
	Bathurst	—	—	19	4	—	19	10 10 0	
	Royalty Fees	—	—	—	—	—	—	4 1 1	
	Totals	—	11	2,530	29	37	2,596	1,300 6 1	1,300 6 1
December.	Sofala	—	4	727	—	73	800	402 0 0	
	Tambaroura	—	—	539	—	30	569	284 10 0	
	Avisford	—	—	675	12	26	713	353 10 0	
	Ophir & Burrendong	—	—	299	—	2	301	150 10 0	
	Bathurst	—	—	23	4	—	27	12 10 0	
	Royalty Fees	—	—	—	—	—	—	10 12 4	
	Totals	—	4	2,263	16	131	2,410	1,213 12 4	1,213 12 4
							Total	- -	3,926 1 6
1854 January.	Sofala	—	13	744	—	65	809	426 0 0	
	Tambaroura	—	3	696	—	58	754	378 10 0	
	Avisford	—	—	651	7	32	690	343 5 0	
	Ophir & Burrendong	—	—	239	—	—	239	119 10 0	
	Bathurst	—	—	9	—	—	9	4 10 0	
	Royalty Fees	—	—	—	—	—	—	9 10 5½	
	Totals	—	16	2,339	7	155	2,501	1,281 5 5½	1,281 5 5½
February.	Sofala	—	2	743	—	52	795	398 10 0	
	Tambarourau	—	4	956	—	100	1,056	530 0 0	
	Avisford	—	—	737	10	39	786	390 10 0	
	Ophir & Burrendong	—	—	203	—	2	205	102 10 0	
	Bathurst	2	—	28	—	—	28	64 0 0	
	Royalty Fees	—	—	—	—	—	—	2 18 6	
	Totals	2	6	2,667	10	193	2,870	1,488 8 6	1,488 8 6
March.	Sofala	—	2	565	—	60	625	313 10 0	
	Tambaroura	—	3	900	—	81	981	492 0 0	
	Avisford	—	14	725	14	21	760	383 10 0	
	Ophir & Burrendong	—	—	105	7	2	114	55 5 0	
	Bathurst	2	—	16	—	—	16	58 0 0	
	Royalty Fees	—	—	—	—	—	—	4 4 6	
	Totals	2	19	2,311	21	164	2,496	1,306 9 6	1,306 9 6
							Total	- -	4,076 3 5½

Gold Commissioner's Office, Bathurst,
14th May 1854.

CHAS. H. GREEN,
Gold Commissioner, western district.

NEW SOUTH WALES.

Enclosure 8 in No. 6.

Encl. 8 in No. 7. RETURN showing the Number and Description of Licences issued at each of the Gold Fields of the Southern District, and Amount received thereon, during each Month, from the 1st April 1853 to the 31st March 1854.

Month.	Gold Field.	Occupation. Foreigners, *Nil.* — British Subjects. 30*s.*	British Subjects. Crown Lands. 30*s.*	British Subjects. Crown Lands. 15*s.*	British Subjects. Private Lands. 15*s.*	British Subjects. Private Lands. 7*s.* 6*d.*	Foreigners. Crown Lands. 60*s.*	Foreigners. Crown Lands. 30*s.*	Foreigners. Private Lands. 30*s.*	Foreigners. Private Lands. 15*s.*	Total Number of Licences.	Amount. £ *s.* *d.*
1853: April -	Major's Creek -	—	16	—	200	6	—	—	2	—	224	179 5 0
	Bell's Creek - -	3	217	17	340	17	—	—	—	—	594	604 2 6
	Mongâlo - -	—	100	6	—	—	—	—	—	—	106	154 10 0
	Tuena - - -	—	57	5	18	1	—	—	—	—	81	103 2 6
	Adelong - -	4	150	—	—	—	—	—	—	—	154	231 0 0
		7	540	28	558	24	—	—	2	—	1,159	1,272 0 0
May -	Major's Creek -	—	11	—	192	6	—	—	2	—	211	165 15 0
	Bell's Creek and Araluen	6	200	17	206	7	—	—	—	—	436	478 17 6
	Mongâlo - -	—	64	2	36	—	—	—	—	—	102	124 10 0
	Tuena - -	—	63	14	23	5	—	—	—	—	105	124 2 6
		6	338	33	457	18	—	—	2	—	854	893 5 0
June -	Major's Creek -	—	9	—	179	13	—	—	—	—	201	152 12 6
	Bell's Creek, Araluen, Mongâlo - -	5	240	24	152	4	—	—	—	—	425	501 0 0
	Tuena - -	—	62	1	17	3	—	—	—	—	83	107 12 6
		5	311	25	348	20	—	—	—	—	709	761 5 0
July -	Major's Creek and Mongâlo - -	—	51	—	162	10	—	—	—	—	223	201 15 0
	Bell's Creek and Araluen	8	101	75	123	2	—	—	—	—	309	312 15 0
	Tuena - - -	—	41	—	11	—	—	—	—	—	52	69 15 0
		8	193	75	296	12	—	—	—	—	584	584 5 0
August -	Major's Creek -	—	10	—	185	27	—	—	—	—	222	163 17 6
	Mongâlo - -	—	59	—	—	—	—	—	—	—	59	88 10 0
	Bell's Creek and Araluen	3	148	37	78	2	—	—	—	—	268	313 10 0
	Tuena - - -	—	54	14	13	—	—	—	—	—	81	101 5 0
		3	271	51	276	29	—	—	—	—	630	667 2 6
September	Major's Creek -	—	5	13	216	20	—	—	—	—	254	186 15 0
	Mongâlo - -	—	62	1	—	—	—	—	—	—	63	93 15 0
	Bell's Creek and Araluen	7	175	—	39	—	—	—	—	—	221	302 5 0
	Tuena - - -	—	80	20	5	—	—	—	—	—	105	138 15 0
		7	322	34	260	20	—	—	—	—	643	721 10 0

Month.	Gold Field.	Occupation. At 10s.	Crown Lands. At 10s.	Private Lands. At 5s.	Number of Licences.	Amount. £ s. d.
1853: October	Major's Creek	Included in General Licence.	18	248	266	71 0 0
	Bell's Creek		54	29	33	34 5 0
	Araluen		100	—	100	50 0 0
	Mongalo		98	—	98	49 0 0
	Tuena		128	—	128	64 0 0
			398	277	675	268 5 0
November	Major's Creek	Ditto	13	229	242	63 15 0
	Bell's Creek		43	53	96	34 15 0
	Araluen		88	—	88	44 0 0
	Mongalo		98	—	98	49 0 0
	Tuena		156	—	156	78 0 0
			398	282	680	269 10 0
December	Major's Creek	Ditto	12	191	203	53 15 0
	Bell's Creek		45	130	175	55 0 0
	Araluen		91	—	91	45 10 0
	Mongalo		81	—	81	40 10 0
	Tuena		148	8	156	76 0 0
			377	329	706	272 15 0
1854: January	Major's Creek	Ditto	9	200	209	54 10 0
	Bell's Creek		32	72	104	34 0 0
	Araluen		80	—	80	40 0 0
	Mongalo		79	—	79	39 10 0
	Tuena		132	—	132	66 0 0
			332	272	604	234 0 0
February	Major's Creek	Ditto	689	100	789	369 10 0
	Bell's Creek		42	32	74	29 0 0
	Araluen		19	—	19	9 10 0
	Mongalo		65	—	65	32 10 0
	Tuena		132	4	136	67 0 0
			947	136	1,083	509 10 0
March	Major's Creek	25	540	100	665	307 10 0
	Bell's Creek	—	22	37	59	20 5 0
	Araluen	1	39	—	40	20 0 0
	Mongalo	—	87	—	87	43 10 0
	Tuena	—	126	5	131	64 5 0
		26	814	142	982	455 10 0
General Totals	1st April to 30th September 1853				4,579	4,899 7 6
	1st October 1853 to 31st March 1854				4,730	2,009 0 0
	Total				9,309	6,908 7 6

Bell's Paddock, 30th April 1854.

WM. ESSINGTON KING,
Commissioner for the southern district.

Enclosure 9 in No. 6.

Encl. 9 in No. 6.

Quantity and Value of Gold exported, from 1st April 1853 to the 31st March 1854.

Quantity.			Value.		
ozs.	*dwts.*	*grs.*	£	*s.*	*d.*
399,853	9	7	1,299,523	15	2

J. GIBBES,
Collector.

NEW SOUTH WALES.

Despatches from the Secretary of State.

No. 1.

COPY of a DESPATCH from the Duke of NEWCASTLE to Governor-General Sir C. A. FITZROY.

(No. 7.)

SIR, Downing Street, January 13, 1854.

28th Dec. 1853.

WITH reference to your Despatch No. 89.* of the 22d July, reporting on the New South Wales Blue Book for the Year 1852, which accompanied it, I transmit to you the copy of a letter from the Assistant Secretary to the Lords Commissioners of the Treasury, respecting the portion of the report which relates to the revenue and expenditure connected with the gold discoveries, and I have to draw your attention to their Lordships remarks respecting the adjustment of the account.

I have, &c.

Governor-General Sir C. A. FitzRoy, &c. &c. &c. (Signed) NEWCASTLE.

Enclosure in No. 1.

Encl. in No. 1.

SIR Treasury Chambers, December 28, 1853.

WITH reference to your letter of the 8th instant, and to its enclosures, relating to the Colony of New South Wales, I am commanded by the Lords Commissioners of Her Majesty's Treasury to request that you will state to the Duke of Newcastle that there seems to have been some misunderstanding in preparing the report with regard to the revenue and expenditure connected with the gold discoveries.

The revenue from that source has been properly placed to the credit of the general revenue, but the expenditure, to the extent of 38,927*l.*, is placed to the account of the territorial revenue, by which means the expenditure from that branch is made to appear as exceeding the income by nearly 25,000*l.*

It was clearly the intention of the Home Government, in placing the gold revenue at the disposal of the colony, that the expenditure connected therewith should be defrayed from the same source, and his Grace will no doubt consider it advisable to communicate with the Governor, with a view to the adjustment of the account.

Herman Merivale, Esq. &c. &c. &c.

I have, &c.

(Signed) G. ARBUTHNOT.

No. 2.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY Bart. to Governor-General Sir C. A. FITZROY.

(No. 10.)

SIR, Downing Street, July 4, 1854.

* Page 26.

I HAVE received your Despatch No.* 37. of the 27th February, addressed to my predecessor, and reporting that you had caused a further sum of 8,500*l.* to be paid into the commissariat chest, on account of the expenses connected with the Sydney mint, with a view to a corresponding amount being paid from Her Majesty's Treasury to the Colonial Agent General.

Simultaneously with the arrival of that Despatch, Mr. Barnard, who had just received from the Colonial Secretary in New South Wales a commissariat certificate for the amount, applied to this department for instructions on the subject, and, under the circumstances, I have thought it best to forward copies of all the papers to the Lords Commissioners of the Treasury, with a request that they will give such instructions as they may think proper for the disposal of the money on account of the service in question.

I have, &c.

Governor-General Sir C. A. FitzRoy, &c. &c. &c. (Signed) G. GREY.

* Page 207 of Papers on the State of Her Majesty's Colonial Possessions, presented to Parliament by command of Her Majesty.

No. 3.

Copy of a DESPATCH from the Right Hon. Sir George Grey Bart. to Governor-General Sir C. A. FitzRoy.

(No. 12.)

Sir, Downing Street, July 13, 1854.

I have to acknowledge the receipt of your Despatch No. 31.* of the 21st February last, forwarding a printed copy of a letter which had been addressed to the Colonial Secretary of your Government by the Reverend W. B. Clarke, on the subject of the correspondence between Sir Roderick Murchison and this department, which accompanied my predecessor's Despatch to you, No. 100. of the 21st July 1853, relative to the claim preferred by that gentleman to the honour of having directed attention at an early date to the existence of gold in Australia. Page 21.

I have, &c.
(Signed.) G. GREY.

No. 4.

Copy of a DESPATCH from the Right Hon. Sir George Grey Bart. to Governor-General Sir C. A. FitzRoy.

(No. 23.)

Sir, Downing Street, August 2, 1854.

With reference to my predecessor's Despatch No. 128.* of the 29th September 1853, and to the Order of Her Majesty in Council which it enclosed, defining the constitution of the proposed mint at Sydney, I now transmit for your information the copy of a letter from the Assistant Secretary to the Lords Commissioners of the Treasury, stating that their Lordships have directed Captain E Ward, R E., to proceed to Sydney, to superintend the completion of the mint, and referring to the other measures which they contemplate in connexion with this subject. 22d July 1854.

I have, &c.
(Signed.) G. GREY.

Enclosure in No. 4.

Copy of a Letter from Sir C. E. Trevelyan to H. Merivale, Esq.

Sir, Treasury Chambers, 22d July 1854.

I am commanded by the Lords Commissioners of Her Majesty's Treasury to request that you will move Sir George Grey to cause the Governor of New South Wales to be informed that Captain Ward, R.E., the deputy master of the branch royal mint at Sydney, having procured and despatched from this country machinery and stores, as well as officers and skilled mechanics for the service of that establishment, has been directed by this Board to proceed to Sydney to superintend the completion of the Mint in person.

My Lords propose to take measures in communication with the Master of the Mint for submitting to Her Majesty in Council drafts of a proclamation and order describing the coins to be issued from the mint at Sydney, and giving currency to them throughout the colonies of Australasia; the same to take effect in the several colonies from the dates at which it shall be promulgated by the respective Governors or Lieutenant-Governors thereof.

I have, &c.
(Signed) C. E. Trevelyan.

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* Page 59 of Papers relative to Gold Discoveries in Australia presented to Parliament by Her Majesty's Command, February 1854.

VICTORIA.

VICTORIA.

Despatches from Lieutenant-Governor LaTrobe.

No. 1.

No. 1.

Copy of a DESPATCH from Lieut.-Governor LaTrobe to the Duke of Newcastle.

(No. 168.)

Melbourne, October 7, 1853.
(Received January, 7 1854.)

My Lord Duke,

I have the honour to enclose for your Grace's satisfaction a "Comparative statement of the revenue of this colony received into the Colonial Treasury during the quarters and years ended 30th September 1852 and 30th September 1853 respectively."

I have, &c.
(Signed) C. J. LATROBE.

The Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 1.

VICTORIA.

COMPARATIVE STATEMENT of the Revenue of the Colony received into the Colonial Treasury during the Quarters and Years ended 30th September 1852 and 30th September 1853 respectively.

HEAD OF REVENUE.	Quarter ended 30th Sept. 1852.	Quarter ended 30th Sept. 1853.	Year ended 30th Sept. 1852.	Year ended 30th Sept. 1853.	Increase. Upon the Quarter ended 30th Sept. 1853.	Increase. Upon the Year ended 30th Sept. 1853.	Decrease. Upon the Quarter ended 30th Sept. 1853.	Decrease. Upon the Year ended 30th Sept. 1853.
General Revenue.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Gold - Proceeds of Gold Licences -	80,560 7 3	147,854 1 7	224,909 8 5	725,111 15 8	67,293 14 4	500,202 7 3		
Gold - Escort Fees -	10,897 14 11	13,846 9 3	25,496 0 9	50,608 19 10	4,813 8 3	33,200 0 1		
Gold - Treasury and Custody Fees -		1,864 13 11		8,087 1 0				
Customs - Duties on spirits imported -	55,378 8 10	132,468 19 10	141,910 3 6	374,457 15 8				
Customs - Duties on tobacco imported -	15,047 3 9	24,403 1 7	51,429 12 6	96,640 6 6				
Customs - Duty on wine imported, levied under 16 Vict., No. 2. -	1,076 2 6	11,359 12 7	1,076 2 6	34,425 0 0				
Customs - Duty on tea imported, do. -	3,610 12 0	7,039 11 9	3,610 12 0	38,176 16 2				
Customs - Duty on coffee, do. -	137 15 11	3,981 6 2	137 15 11	10,113 18 5				
Customs - Ad valorem duties on foreign goods - - -	8,195 19 9	- - -	50,843 5 4	30 2 9				
£	83,446 2 9	179,252 11 11	249,007 11 9	553,843 19 6	95,806 9 2	304,836 7 9		
Port and harbour dues - - -	2,987 9 1	4,048 14 4	8,866 19 7	14,705 14 1	1,061 5 3	5,838 14 6		
Postage - - - -	2,638 6 9	7,292 14 3	10,230 1 6	21,887 14 11	4,654 7 6	11,657 13 5		
Auction duty - - - -	879 3 10	2,079 6 5	2,067 0 3	8,469 19 10	1,200 2 7	6,402 19 7		
Assessment on stock beyond the settled districts - - - -	137 11 8	- - -	14,230 3 4	186 10 8	- - -	- - -	137 11 8	14,043 12 8
Licences - To auctioneers - -	37 16 0	870 7 4	468 2 4	3,394 3 4	832 11 4	2,926 1 0		
Licences - To retail fermented and spirituous liquors - -	909 16 0	3,889 5 0	9,712 13 6	12,870 16 8	2,979 9 0	3,158 3 2		
Licences - Night licenses to publicans for billiard tables - -	820 0 0	850 0 0	910 0 0	890 0 0	30 0 0	—	- - -	20 0 0
Licences - All other licences -	0 12 6	267 2 6	59 10 10	291 4 6	266 10 0	231 13 8		
Fines and Forfeitures. Collected by the sheriff -	192 11 0	574 10 3	572 2 0	1,922 0 4	381 19 3	1,349 18 4		
Fines and Forfeitures. Collected by the clerk of the peace - - -	- - -	- - -	- - -	55 0 0	- - -	55 0 0		
Fines and Forfeitures. Collected by the several courts of petty sessions -	2,681 17 1	7,587 6 0	6,073 5 10	28,337 15 6	4,905 8 11	22,264 9 8		
Fines and Forfeitures. Police reward fund -	247 3 3	4,273 16 7	680 8 0	7,508 14 6	4,026 13 4	6,828 6 6		
Fines and Forfeitures. Crown's share of seizures by the customs - -	- - -	80 11 3	30 16 8	309 7 4	80 11 3	278 10 8		
Fines and Forfeitures. Proceeds of the sale of confiscated and unclaimed property	98 6 9	433 11 11	385 10 6	1,966 14 6	335 5 2	1,581 4 0		
Fees - Of civil offices - -	607 7 0	1,585 11 0	1,059 15 0	3,919 11 0	978 4 0	2,859 16 0		
Fees - Of the several offices of the supreme court - -	1,668 8 5	3,294 7 5	4,711 10 0	10,635 1 2	1,625 19 0	5,923 11 2		
Fees - Of the courts of requests and county courts - -	103 17 9	550 9 6	469 14 9	1,219 6 8	446 11 9	749 11 11		
Fees - Of the several courts of petty sessions - - -	192 7 2	596 16 0	793 9 10	1,479 8 5	404 8 10	685 18 7		
Fees - Of commissioners of disputed boundaries - -	- - -	- - -	45 0 0	- - -	- - -	- - -	- - -	45 0 0
Passengers' Rates, collected under 16 Vict., No. 17 - - - - -	- - -	1,490 5 0	- - -	5,793 15 0	1,490 5 0	5,793 15 0		
Rents - - - - - -	824 12 9	463 0 3	3,231 17 0	2,157 16 11	- - -	- - -	361 12 6	1,074 0 1
Reimbursements in aid of expenses incurred by Government - - -	206 13 5	1,089 2 7	358 4 0	1,478 12 1	882 9 2	1,120 8 1		
Collections by the accountant of the Government printing office - -	318 16 6	481 17 5	664 5 11	1,988 12 11	163 0 11	1,324 7 0		
Sale of Government property - -	- - -	139 12 6	- - -	279 12 6	139 12 6	279 12 6		
Miscellaneous receipts - -	149 17 3	276 0 1	290 19 5	486 7 9	126 2 10	195 8 4		
£	190,606 19 1	385,032 4 3	565,324 11 2	1,469,885 16 7	194,924 9 4	919,743 18 2	499 4 2	15,182 12 9
Territorial Revenue.								
Proceeds of the sale of land and town allotments - - - - -	267,754 4 10	333,593 10 5	493,001 8 6	1,204,761 13 2	65,839 5 7	711,760 4 8		
Land and immigration deposits - -	- - -	- - -	39,265 0 0	- - -	- - -	- - -	- - -	39,265 0 0
Leases and licences to occupy Crown lands -	2,976 3 0	5,086 0 2	23,732 12 10	30,015 15 9	2,109 17 2	6,283 2 11		
Licenses to cut timber, &c., and to camp, on Crown lands - - - -	673 0 0	3,824 18 8	1,152 13 0	8,805 1 3	3,151 18 8	7,652 8 3		
Proceeds of the sale of wool from aboriginal station - - - - -	- - -	- - -	224 16 0	448 5 2	- - -	223 9 2		
Stoppages and repayments for rations -	- - -	1,224 9 2	- - -	3,585 6 1	1,224 9 2	3,585 6 1		
Sale of Crown property - - -	- - -	- - -	106 8 1	- - -	- - -	- - -	- - -	106 8 1
Rents of Government quarries and premises	- - -	2,198 8 0	- - -	2,233 18 0	2,198 8 0	2,233 18 0		
Received for improvements on land sold by the Crown - - - - -	- - -	- - -	500 0 0	70 0 0	- - -	- - -	- - -	430 0 0
Land and immigration remittances -	- - -	1,869 15 6	- - -	1,869 15 6	1,869 15 6	1,869 15 6		
Repayments from other Governments -	- - -	3,464 6 5	- - -	3,464 6 5	3,464 6 5	3,464 6 5		
Miscellaneous receipts - - -	329 14 6	37 0 0	518 1 2	87 0 0	- - -	- - -	292 14 6	431 1 2
£	271,733 2 4	351,298 8 4	558,500 19 7	1,255,341 1 4	79,858 0 6	737,072 11 0	292 14 6	40,232 9 3
Totals - -	462,340 1 5	736,330 12 7	1,123,825 10 9	2,725,226 17 11	274,782 9 10	1,656,816 9 2	791 18 8	55,415 2 0

	Upon the Quarter ended 30th Sept. 1853.	Upon the Year ended 30th Sept. 1853.
	£ s. d.	£ s. d.
Increase on the aggregate of the General Revenue - -	194,425 5 2	904,561 5 5
Increase on the aggregate of the Territorial Revenue - -	79,565 6 0	696,840 1 9
Total Increase - - - - -	273,990 11 2	1,601,401 7 2

Audit Office, Melbourne,
3d October 1853.

HUGH C. E. CHILDERS,
Auditor-General.

VICTORIA.

No. 2.

No. 2.

Copy of a DESPATCH from Lieut.-Governor LaTrobe to the Duke of Newcastle.

(No. 169.)

Melbourne, October 7, 1853.
(Received January 7, 1854.)

My Lord Duke,

I take leave to enclose for your Grace's information the financial meeting of the session which I caused to be communicated to the Legislative Council by message on the 6th instant.

I have, &c.
(Signed) C. J. LATROBE.

The Duke of Newcastle.
&c. &c. &c.

Encl. in No. 2.

Enclosure in No 2.

Estimates, 1853—4.

1. In inviting the attention of the Council to the estimates now submitted for their consideration, the Lieutenant Governor does not propose to enter upon a detailed exposition of the numerous questions involved in the present or future arrangements shown in them. The following remarks will therefore only relate to the general state of the finances in the years under notice, and to those leading points to which it may be proper to direct especial attention.

2. It is necessary, in the first place, to consider the position of the revenue and expenditure of the current year.

3. In the message (No. 44.) accompanying the supplementary estimates for the year 1852, the Lieutenant-Governor estimated the probable balance of the general revenue, on the 31st December last, at £200,303 12*s*. The actual balance as shown in the abstract dated 1st June 1853, already laid upon the table of the Council, was £277,313 6*s*.

4. The revenue of the present year, exclusive of the proposed export duty on gold, and the transfer from the land fund, was estimated at £1,058,600. That estimate will be considerably exceeded; and the following statement, showing the increase upon each item, will probably be a correct approximation to the actual results at the close of the year, viz.:—

	Former Estimate.			Present Estimate.			Probable Increase.		
	£	s.	d.	£	s.	d.	£	s.	d.
Customs - - -	434,800	0	0	620,345	0	0	185,545	0	0
Gold revenue - -	568,000	0	0	687,000	0	0	119,000	0	0
Harbour dues and pilotage -	4,000	0	0	15,000	0	0	11,000	0	0
Postage - - -	17,900	0	0	23,000	0	0	5,100	0	0
Licences - - -	11,400	0	0	19,700	0	0	8,300	0	0
Fines and forfeitures - -	11,100	0	0	41,300	0	0	30,200	0	0
Fees of office - -	7,900	0	0	21,370	0	0	13,470	0	0
Reimbursements in aid of expenses by Government -	1,100	0	0	3,700	0	0	380	0	0
Miscellaneous - -				180	0	0			
Auction duty - -	2,400	0	0	-	-	-			
Totals - -	1,058,600	0	0	1,431,595	0	0			
	1,431,595	0	0						
Increase - -	372,995	0	0				372,995	0	0

5. The amount originally proposed to be transferred to the general from the Crown revenue was £300,000. But in reply to the address which was presented by the Council on the 9th December 1852, expressing their opinion that the entire amount of the unappropriated moiety of the land fund was required for the general purposes of the colony, the Lieutenant-Governor undertook to make up from that fund any deficiency in the general revenue which might result from the expenditure of the year. This pledge he has fulfilled; and he has accordingly directed the transfer to the credit of the general revenue of the entire balance of the unappropriated moiety available at the close of the year 1852 (amounting, as shown in the statement of the revenue of the year, to £387,931 10*s* 7*d*.);

and, viewing the great expenditure which, as will be seen, the state of the colony has imperatively demanded, in excess of the sums voted by the legislature, he proposes to effect a similar arrangement with respect to the balance at the termination of the current year.

6. Under these arrangements the ways and means of the present year will probably amount in all to 2,846,839*l.* 16*s.* 7*d.*, viz. :—

Balance on the 31st December 1852 - - - - -	£ 277,313	6	0
Ordinary revenue of 1853 - - - - - -	1,431,595	0	0
Transfer from the Crown revenues on account of the unappropriated moiety for the year 1852 - - - - -	387,931	10	7
Ditto - - for the year 1853 - - - -	750,000	0	0
	£ 2,846,839	16	7

The appropriations for the service of 1853 are the following, viz. :

Constitutional Act, 13 and 14 Vict., No. 59. -	£20,000	0	0			
Additional salary to the Lieutenant-Governor, 16 Vict., No. 41. - - - - - -	3,000	0	0			
Appropriation Act, 16 Vict., No. 30. - -	1,657,182	9	7			
Public worship, 16 Vict., No. 28. - -	30,000	0	0			
University of Melbourne, 16 Vict., No. 36. - -	9,000	0	0			
Commissioners of sewers and water supply, 16 Vict., No. 39. - - - - - -	20,000	0	0			
				1,739,182	9	7
				£1,107,657	7	0

The sum of 1,107,657*l.* 7*s.* 0*d.* has therefore been considered to be available for additional necessary expenditure during the current year.

7. It will be observed that the entire amount of the supplementary estimate now poposed to the Council is 998,833*l.* 13*s.* 6*d.* There will therefore be a balance at the end of the year available for the service of the ensuing year amounting probably to 108,823*l.* 13*s.* 6*d.*

8. The principal items included in the supplementary estimate are comprised under the following heads ; viz. :—

First.—Public works. It will be noticed that the amount placed at the disposal of the Central Road Board is considerably increased, and that provision is necessary for the salaries of the officers of that department. The very heavy expenditure incurred in connexion with the port of Melbourne, which the Lieutenant-Governor has considered himself justified in authorizing, and the insufficiency of the appropriations previously made for public buildings, are also shown under this head. The absolute necessity for these additional works will, it is anticipated, be apparent to the Council, to whom every explanation upon the subject will be afforded when the estimates are under review.

9. Second.—The protection of life and property has imperatively called for a considerable augmentation of the police force. The distribution of this force among the different districts and stations is given in the returns which, at the request of the Council, have been laid before them. To the general efficiency of this department and to the increased security which has resulted from it, the Lieutenant-Governor alludes with satisfaction.

10. Third.—The increase of the revenue and of the general business of the Government have led to the necessity of making additions to the staff of the greater part of the public departments. It has been considered expedient to place one branch of the service upon a greatly extended basis, and in lieu of the department of the Colonial Storekeeper to establish a civil commissariat, for the purchase, supply, and transmission of stores and provisions for the service of the Government in every part of the colony. By adopting as far as possible the matured system of the imperial Commissariat and Ordnance departments considerable economy may be anticipated in the very large expenditure which must be incurred on this account.

11. Fourth.—The need of further provision will be noticed in connexion with two services, both of which are usually self-supporting ; that is to say, the post office and the pilot department. In the former case especially it must be apparent that the convenience of the public can only be gained at a considerable cost, under the present state of the law, so long as prices and charges continue at their current rates.

12. Fifth.—The great cost of living, mainly caused by the rise in house rent which has taken place since the estimates for the current year were prepared, has induced the Lieutenant-Governor to propose an addition to the salaries of all officers for whom quarters are not provided at the public expense ; and the sum of 39,395*l.* is accordingly included in this estimate under the head of "Allowances for house rent, from the 1st July to the 31st December." The scale upon which it is proposed to grant this temporary increase is (as will be seen by the estimates for 1854, in which each allowance is shown separately,) as follows :—

In Melbourne and Geelong—

To officers receiving salaries not exceeding 1,000*l.* per annum - - - - -	Fifty per cent. on their salaries.
To officers receiving salaries exceeding 1,000*l.* per annum - - - - -	500*l.* ,,
In the country districts - - -	One half of the above.

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No allowance is proposed to be granted to officers for whom quarters or tentage are provided.

13. Having thus briefly adverted to the principal points which appear to call for notice in the supplementary estimates for the present year, it is now necessary to refer as briefly to the estimates for 1854.

It will be seen that the principal sources of public income will be—

(1.) The gold revenue.

(2.) Customs.

(3.) Licences

14. With respect to the revenue directly derived from gold, the Lieutenant-Governor has already recommended to the Council to substitute for the existing licence fee payable by miners a moderate registration fee, and an export duty on gold. It cannot be doubted that if this recommendation be adopted the gold revenue will be considerably less than it would have been had the former system been maintained and successfully carried out at the Gold Fields. Pending the result of the inquiry on the subject which is now occupying the attention of the Council, the Lieuteuant-Governor deems it prudent not to estimate the probable revenue under this head at more than five per cent. upon the total amount of gold raised.

15. On the other hand, it is proposed to increase the customs' revenue. For this purpose the Lieutenant-Governor recommends that the duties now levied on wines and spirits be raised, and that a duty be imposed upon beer. He also proposes, for the reasons stated in his opening address, that sugar should not be admitted duty-free. It is not anticipated that any risk of illicit traffic will result from these alterations in the tariff.

16. Under the head of licences a very great increase in the anticipated revenue will be observed. This is occasioned by the proposed augmentation of the licence fee charged to publicans; by the imposition of a similar charge upon wholesale spirit merchants; and, it may be added, by the issue of publicans' licences at the different Gold Fields, as alluded to in the Lieutenant-Governor's address on opening the session.

17. With respect to the proposed expenditure for the ensuing year, it is not intended, for the reasons stated in the financial minute which accompanied the estimates for 1853, to explain at length the numerous alterations which the progress of the colony requires in every department of the service.

The Lieutenant-Governor has accordingly directed the estimates to be prepared in such a form as to give the most detailed information possible upon every subject embraced by them. He hopes that, with the explanations which it will be the duty of the proper officers to furnish, the Council will be fully informed of every particular respecting which they may make inquiry. A short notice, however, respecting some of the most important of the changes now introduced, may be required.

18. With respect to nearly all the establishments, an increase is observable; but this increase, in the majority of cases, is no more than that which from the continuous and rapid augmentation of public business must have been anticipated.

19. It will be seen that it has been considered expedient to recommend the establishment of branches of the treasury at Belfast and Alberton. The duties of sub-treasurer, however, will be performed by the stipendary magistrates at those places.

It has also been considered advisable, with a view to the exercise of the same control over the issue of postage stamps which now exists with respect to the issue of money, to transfer the stamp office, hitherto forming a department of the post office, to the office of the Colonial Treasurer.

20. No alteration is shown in the estimates for the Gold Commission. The precise form which they will eventually assume must depend in a great measure upon the result of the deliberations of the Council as to the mode in which the gold revenue is to be collected; but it is evident that, whatever this result may be, officers for the collection of the revenue will be required, and that the duty of deciding disputed claims will not terminate with the existing licensing system.

21. With respect to the post office, the Council must be aware that this service can be satisfactorily maintained only by an expenditure far exceeding the postal revenue. The Lieutenant-Governor cannot but view with satisfaction the present state of this department, which but a short time since was overwhelmed by the sudden and vast increase of business with which it had to contend; and he trusts that the Council will concur with him in regarding its efficient maintenance, at whatever cost, to be of the greatest importance.

22. It is proposed to alter to a certain extent the mode in which pilots are at present remunerated. In addition to their salaries (which will be somewhat reduced), it is intended to divide among them rateably the entire amount of pilotage which may be collected.

23. It will be seen that the intended distribution of the police force is shown in much detail. The number of and the appropriation required for this force may appear large; but, viewing the extent of territory to be protected, the number of stations, and the paramount importance of efficiency in this department, the Lieutenant-Governor confidently submits this portion of the estimates to the consideration of the Council.

24. The proximity of Kyneton to Castlemaine, and the discovery of gold in the neighbourhood of Kilmore, have induced the Lieutenant-Governor to propose the transfer of the site for a gaol from the first to the last-named township.

25. In addition to the estimate for the four companies of the 40th regiment stationed in Melbourne, the Lieutenant-Governor, in accordance with the request of the Council, proposes the necessary provision for a company of Sappers and Miners; and for a colonial allowance to the officers and men of H.M.S. Electra, at present on this station.

26. Although prices and wages may still appear to be excessive, the Lieutenant-Governor has not hesitated to recommend that extensive public works be carried on during the ensuing year.

With regard to the estimate for roads and bridges, arrangements will be made to ensure that the greater part of the works included under this head shall be mainly carried out during the summer months.

It is proposed to grant to the corporations of the city of Melbourne and the town of Geelong, the respective sums of 25,000*l.* and 10,000*l.*, in aid of the funds devoted by them to public works within the municipal limits. The Lieutenant-Governor is prepared to give every consideration to any proposal which may emanate from the Council relative to the permanent endowment of these bodies from the public revenues.

Among the public buildings the erection of which it is intended shall be proceeded with as speedily as possible, the chambers of the Legislative Council may be mentioned. If the proposed appropriations are acceded to, it is hoped that a portion of this building may be completed before the commencement of the next session of Council.

For the general superintendence over all the works, the execution of which has hitherto been divided between the departments of the Colonial Engineer and the Colonial Architect, it is proposed to establish one department, to be called that of the Chief Commissioner of Public Works.

27. The select committee of the legislature having definitely recommended the formation of one general board of education, in lieu of the double system now in force, and the Council having subsequently adopted that recommendation, provision commensurate with the importance of the object is now asked, for the establishment and supervision of primary and grammar schools. The propriety of placing a paid officer at the head of this department has been urged upon the Lieutenant-Governor, and the question is now referred to the council.

28. Under the head "scientific," two new departments will be noticed. The importance and facility of establishing lines of electric telegraph are universally admitted; and no difficulty will now be experienced in connecting by this means Geelong and Williamstown with Melbourne. The formation of the assay office was strongly urged by the Council during their last session; and it is anticipated that the expenses of the department will be fully met by the imposition of a moderate fee.

29. It will be observed that under the head "miscellaneous" a great extension is proposed in the department of the Registrar General. The want of statistical information is most severely felt; and the compilation and arrangement of such information, which will be effected by this department, cannot fail both now and in future years to be of incalculable advantage. To the legislature, especially, for whose guidance returns of every description are constantly required, the efficiency of this office will be of the highest service.

30. It finally remains to state the probable position of the finances at the end of the year 1854. The total amount of the estimated revenue being 3,213,500*l.*, and of the expenditure, according to the scheme now proposed, 3,265,761*l.* 1*s.* 9*d.*, an excess of expenditure to the extent of 52,261*l.* 1*s.* 9*d.* will result. On the other hand, the balance which it is anticipated will be available at the end of the current year, after deducting the additional expenditure detailed in the supplementary estimates now submitted to the Council, amounts to 108,823*l.* 13*s.* 6*d.* The estimated balance, therefore, on the 31st December 1854, may be set down at 56,562*l.* 11*s.* 9*d.*

Government Offices,
Melbourne, 5th October 1853.

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No. 3.

No. 3.

Copy of a DESPATCH from Lieut.-Governor LaTrobe to the Duke of Newcastle.

(No. 176.) Melbourne, November 17, 1853.
My Lord Duke, (Received February 13, 1854.)

The character of the information conveyed to your Grace by my recent Despatches, No. 149,* 150* and 151,* on the subject of the state and prospects of the gold fields of this colony, and on the proceedings of the mining population will, I make no doubt, have led Her Majesty's Government to watch with more than ordinary interest for further certain information from the colony. I have, in the interval, taken advantage of an opportunity to forward a short Despatch, No. 158,† of September 24, assuring your Grace of the general satisfactory effects of the measures adopted by the Government, with the assistance of the Legislature, in restoring order and compliance with the laws; and I am thankful that the anticipations entertained at that date of the ultimate result have in no respect proved delusive.

2. My Despatch, No. 149,* transmitted the usual file of returns for the months of July and August. That which I now address to your Grace will be accompanied by those compiled for the months of September and October; and I think it scarcely necessary for me to do more than refer to the details which these present, to satisfy Her Majesty's Government, that the course pursued in yielding to the general outcry for the prompt reduction of the license fee has been both just and judicious. It has had the immediate effect hoped for; it both met the exigency which has so unexpectedly arisen, satisfied the wishes of the great bulk of the population, and deprived that section of the community which was seeking to take advantage of the moment of general agitation to forward their own disorderly and questionable ends, of all power or influence.

3. Your Grace's attention will have been drawn to the Act of the Legislature, 17 Vict., No. 1, which, pending the full and deliberate consideration by the Legislative Council of the principles upon which the proper management of the gold fields should be secured in future, substituted the payment of a fee of forty shillings for the three months of September, October, and November for the monthly fee of thirty shillings heretofore imposed. The law came at once into operation, and to whatever amount the revenue may have been affected in consequence of the change, the result cannot but be considered highly satisfactory.

See Encl. No. 10 in Despatch No. 150. Page 185 of Parliamentary Paper of February 1854.

4. The Return No. 1 enclosed when compared with the corresponding return for the two months preceding the change of system, shews that while the licences throughout the gold fields for the month of July at thirty shillings numbered 39,000, and for August 42,000, the number of licences taken out for the three months in review, at forty shillings, has been no less than 47,380—proving, that instead of a considerable falling off, as some had apprehended, a very considerable augmentation had taken place in the number of persons who had become licencees; and this among a population which according to the approximate returns of the two periods had diminished within the latter to the extent of some 16,000 or 17,000.

See Return No. 14 Page 89.

5. It may also be remarked that the number of licences at forty shillings for the period of three months in question, 47,380, is irrespective of 3,200 licences issued at thirty shillings for the month of September alone, the holders of which did not come forward to pay the balance required by the new temporary Act for the privilege of mining up to the close of November; and further that the gross amount of population, at this time, computed at 80,130, comprises no fewer than 26,000 women and children.

6. Referring your Grace to the enclosed returns for much interesting information, I would only adduce a further proof that the restoration of good order and confidence amongst the mining population, however seriously endangered for a time by the circumstances which it was my duty to report to Her Majesty's Government in my September despatch, was immediate—that Return, No. 2,

Return No. 2. Page 84.

* Pages 140, 158, and 187 of Papers on Australian Gold Discoveries presented to Parliament by Her Majesty's command, February 1854.

† Page 191 ibid.

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shews, that there is an increase in the quantity of gold brought down by government escort during the two months ending 31st October over that conveyed during the months of July and August, of 122,000 ounces

July and August, 265, 864.
Sept. and October, 388, 122.

7. Adverting to the weekly reports from each gold field, for the period under review, which lie before me, I feel that I am justified in confirming the general deduction which may be drawn from the statistics, in assuring your Grace that at no period has there been more general good order observable, or a greater disposition to conform to the regulations. A strong feeling however exists on the part of certain of the miners against the proposed issue of leases to companies; and, however desirable it may be to take measures to induce a more settled occupation of the gold fields, and the introduction of a more steady system for the realization of the mineral wealth of the soil, the subject is felt to be one of very considerable difficulty. I do not find much of a very marked character to report with reference to any particular gold field.

8. At Ballarat, the yield of gold reported in my last despatch still continues in certain quarters of the field, and principally at the junction of the Canadian and Prince Regent's gullies exceedingly remunerative. Veins containing a very rich deposit have been traced for some miles in the direction of Buninyong, and some instances of great success in this quarter had drawn an increased population to this part of the gold field. One party of Chinese here had within a very limited period realized eighty pounds weight of gold from one claim.

9. On the Mount Alexander gold fields, and also at those further to the north-west, at Molyagall more especially, the population has been on the increase; while that at Korong and Daisy Hill has suffered reduction latterly, more especially by the rush to certain new workings about twenty miles to the south-west of the latter, on the Avoca River, which appear to be very promising.

10. Every thing appears to have settled down in the Bendigo district to the usual state. The population had decreased in some measure, but the field continues to offer good remuneration to a fair proportion of the steady miners. New workings of greater or less extent and importance have been reported, but none of equal riches to the first. No disposition whatever has been remarked to evade the present law.

11. At MacIvor the yield of gold, and the amount of population though scattered, appear to be steady. No difficulty had been experienced in carrying the new regulations into effect. The general state of the field, however, is not reported as satisfactory as in other quarters; tent-robbing, and the sale of illicit spirits, as well as horse-stealing, appear to be of common occurrence, and an increase of the police force is held to be desirable.

12. The same remark appears to apply to the new workings at Waranga, near the river Goulburn, where alone a spirit of opposition to the payment of the forty-shilling licence fee seems to have been evinced. Gold would appear to be abundant, but the want of water presents an obstacle to the wider exploration of the district.

13. The mining population in the Ovens district is steadily on the increase, though very scattered, and the reported discovery of new fields on the Buffalo ranges more in the interior to the south-west, has the effect of keeping the miners unsettled. Good order nevertheless prevails, and no difficulty had been experienced in the levy of the forty shilling license fee.

14. The health of the mining population throughout the gold fields has been upon the whole good. Considerable sales of land have been now effected on all the principal gold fields, and the erection of substantial stores and dwellings both on the sold and unsold lands, with the increased number of families resident upon them, evinces the evident disposition of a considerable portion of the rapidly increasing population of the colony, to settle permanently in the gold districts.

Return No. 15. Page 90.

15. I am as yet scarcely in a position to speak with confidence as to future arrangements, but I am led to believe that the measures in contemplation, and now under consideration of the Executive and Legislative Councils, are of a character to meet the requirements of the mining population, and suited to the further development of the mineral wealth of the colony, the extent of which, however the success of the miner may fluctuate, I still hold to be unlimited. It is difficult to ascertain the actual yield of the gold fields at any time, but with the knowledge of the large quantity which is ascertained to be conveyed

overland to Sydney at this time, I am not disposed to think that there has been any great falling off, if any, within the period under review, although the gross yield of the year so far may perhaps scarcely equal that of the year 1852 I should still roughly calculate the weekly produce at between 40,000 and 50,000 ounces. The Return of exports by sea alone for the two past months shews an increase to the extent of 80,000 ounces over the preceding period.

I have, &c.

(Signed) C. J. LATROBE.

Enclosures in No. 3.

GOLD RETURNS, &c, contained in the Lieutenant Governor's Despatch, No. 176, of date November 17, 1853.

September and October, 1853.

No. 1.—Return of the Number of Licences issued at the various Gold Fields of this Colony -
No. 2.—Return of Gold transmitted by the Government Escort from the various workings -
No. 3.—Return of the Amount received as Fees for Licences issued - - -
No. 4.—Return of the Amount received as Fees for the Escort of Gold - - - -
No. 5.—Return of Sales by Tender of Government Gold - - - - -
No. 6.—Return of the Amount received as Fees for the Custody of Gold and Cash - -
No. 7.—Return of Gold exported - - - - - - -
No. 8.—Return of the Receipt and Delivery of Gold forwarded by the Government Escort -
No. 9.—Return of the Rates of Wages and Prices current on the Gold Fields* - - -
No. 10.—Return of the Rates of Wages and Prices current in Melbourne* - - -
No. 11.—Return of the Arrivals and Departures at and from this Colony by Sea - -
No. 12.—Return of Vessels in Harbour, Ports of Melbourne and Geelong, November 1, 1853* -
No. 13.—Return of Cases brought before the Circuit Court held at Castlemaine, 10th October - - - - - - - - -
No. 14.—Return of the estimated Population on the various Gold Fields of this Colony -
No. 15.—Return of Land sold at the various Gold Fields. - - - - -

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* The returns for this period being extremely voluminous are not printed.

No. 1.

RETURN of the Number of Licences issued at the various Gold Fields of this Colony during the Months of September and October 1853.

District.	September.			October.		
	Number of Licences issued at 30*s.* each.	Number of Licenses issued at 10*s.* each in addition to 30*s.* Licence now cancelled.	Number of Licences issued at 40*s.* each.	Number of Licences issued at 30*s.* each.	Number of Licences issued at 10*s.* each in addition to 30*s.* Licence now cancelled.	Number of Licences issued at 40*s.* each.
	For 1 month.	For 3 months from 1st Sept.	For 3 months from 1st Sept.	For 1 month.	For 3 months from 1st Sept.	For 3 months from 1st Sept.
Castlemaine - - -	2,423	4,122	3,294	596	1,420	3,934
Sandhurst - - -	2,569	1,959	9,577	218	1,254	5,996
Ballarat - - - -	3,023	3,010	1,360	244	2,506	2,385
Beechworth - - -	2,381	779	473	86	1,680	1,611
Heathcote - - -	708		456	143	483	1,081
Total -	11,104	9,870	15,160	1,287	7,343	15,007

The actual Number of Licences issued from the 24th August for the months of September, October, and November, in accordance with the Mining Act, assented to 14th September, 1853, will be as follows:—

District.	At 30*s.* for 1 month.	At 40*s.* for 3 months.
Castlemaine - - -	1,023	12,770
Sandhurst - - -	326	18,786
Ballarat - - -	594	9,261
Beechworth - - -	445	4,543
Heathcote - - -	813	2,020
Total -	3,201	47,380

NOTE.—It will be seen from the following statement that a greater number of Licences have been taken out under the recent regulations authorizing the issue of Licences for three months at the rate of 40*s.* each than under the former at 30*s.*

Number of Licences taken out at 40*s.* for three months - - - - -	47,380
Greatest number of Licences previously taken out for any one month - - -	42,809
In favour of 40*s.* issue (and exclusive of 3201 at 30*s.*) - - - - -	4,571

Office of the Chief Commissioner of Gold Fields,
Melbourne, November 14, 1853.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

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No. 2.

RETURN of all GOLD transmitted by the GOVERNMENT ESCORT from the various WORKINGS from the 1st September to the 31st October 1853.

Date.	Government Gold.		Private Gold.				Total.		Grand Total.	
			Melbourne.		Geelong.					
	Quantity.	Money Value.*	Quantity.	Money Value.*	Quantity.	Money Value.*	Quantity.	Money Value.*	Quantity.	Money Value.*
				BALLARAT.						
	Ounces.	£	Ounces.	£ s.	Ounces.	£ s.	Ounces.	£ s.	Ounces.	£ s.
Sept. 3 -	- -	- -	- -	- -	10,757	40,338 15	10,757	40,338 15		
„ 10 -	- -	- -	4,500	16,875 0	10,315	38,681 5	14,815	55,556 5		
„ 17 -	- -	- -	3,301	12,378 15	7,977	29,913 15	11,278	42,292 10		
„ 24 -	- -	- -	4,215	15,806 5	6,366	23,872 10	10,581	39,678 15		
„ 30 -	- -	- -	2,249	8,433 15	5,932	22,245 0	8,181	30,678 15		
Oct. 8 -	- -	- -	2,274	8,527 10	5,252	19,695 0	7,526	28,222 10		
„ 15 -	- -	- -	1,955	7,331 5	4,501	16,878 15	6,456	24,210 0		
„ 22 -	- -	- -	1,503	5,636 5	6,873	25,773 15	8,376	31,410 0		
„ 26 -	- -	- -	6,688	25,080 0	- -	- -	6,688	25,080 0		
	- -	- -	26,685	100,068 15	57,973	217,398 15	84,658	317,467 10	84,658	317,467 10
				MOUNT ALEXANDER.						
Sept. 2 -	- -	- -	39,077	146,538 15						
„ 10 -	- -	- -	41,682	156,307 10						
„ 16 -	- -	- -	21,734	81.502 10						
„ 23 -	- -	- -	26,808	100,530 0						
„ 30 -	- -	- -	27,519	103,196 5						
Oct. 8 -	- -	- -	29,263	109,736 5						
„ 14 -	- -	- -	21,515	80,681 5						
„ 21 -	- -	- -	23,294	87,352 10						
„ 28 -	- -	- -	25,925	97,218 18						
	- -	- -	256,817	963,063 15	- -	- -	- -	- -	256,817	963,063 15
				THE OVENS.						
Sept. 2 -	- -	- -	5,995	22,481 5						
„ 16 -	- -	- -	5,358	20,092 10						
„ 30 -	- -	- -	5,375	20,156 5						
Oct. 14 -	- -	- -	5,192	19,470 0						
„ 28 -	- -	- -	4,446	16,672 10						
	- -	- -	26,366	98,872 10	- -	- -	- -	- -	26,366	98,872 10
				M'IVOR.						
Sept. 2 -	- -	- -	2,597	9,738 15						
„ 9 -	- -	- -	3,561	13,353 15						
„ 16 -	- -	- -	2,136	8,010 0						
„ 23 -	- -	- -	2,257	8,463 15						
„ 30 -	- -	- -	2,299	8,621 5						
Oct. 8 -	- -	- -	2,308	8,655 0						
„ 14 -	- -	- -	1,683	6,311 5						
„ 21 -	- -	- -	1,219	4,571 5						
„ 28 -	- -	- -	2,221	8,328 15						
	- -	- -	20,281	76,053 15	- -	- -	- -	- -	20,281	76,053 15
									388,122	1,455,457 10

*At 3*l.* 15*s.* per Ounce.

Colonial Treasury, Melbourne,
November 4, 1853.

W. LONSDALE,
Colonial Treasurer.

No. 3.

RETURN of the AMOUNT of FEES for LICENCES issued at the various WORKINGS from the 1st September to the 31st October 1853.

—	Where issued.	Cash.	Total Amount.
		£ s. d.	£ s. d.
September -	Ballarat, Mount Alexander, &c. -	40,972 19 11	40,972 19 11
October -	Do. do. - -	14,935 3 8	14,935 3 8
			£55,908 3 7

Colonial Treasury, Melbourne,
November 4, 1853.

W. LONSDALE,
Colonial Treasurer.

No. 4.

RETURN of the AMOUNT of ESCORT FEES paid on private GOLD received at the various WORKINGS from the 1st September to the 31st October 1853.

—	From Whence.	Amount.
		£ s. d.
September -	Ballarat, Mount Alexander, &c. - - -	5,621 7 2
October -	Do. do. - - - -	4,538 7 5
		£10,159 14 7

Colonial Treasury, Melbourne,
November 4, 1853.

W. LONSDALE,
Colonial Treasurer.

No. 5.

RETURN of SALES by TENDER of GOVERNMENT GOLD from the 1st September to the 31st October 1853.

Nil.

Colonial Treasury, Melbourne,
November 4, 1853.

W. LONSDALE,
Colonial Treasurer.

No. 6.

RETURN of the AMOUNT of Fees charged on Gold and Cash deposited in the TREASURY beyond One Month from the 1st September to the 31st October 1853.

—	No. of Parcels.	Weight.	Cash.	Office Fees.
		Ozs. dwts. grs.		£ s. d.
September - -	761	21,745 0 0	- - -	918 0 1
October - -	592	17,733 0 0	- - -	752 7 2
	1,353	39,478 0 0		£1,670 7 3

Colonial Treasury, Melbourne,
November 4, 1853.

W. LONSDALE,
Colonial Treasurer.

VICTORIA.

No. 7.

RETURN of the Amount of Gold exported from this Colony during the months of September and October 1853.

Port of Shipment.	September.			October.			Total.		
	Oz.	dwts.	gr.	Oz.	dwts.	gr.	Oz.	dwts.	gr.
Melbourne - - - -	283,674	4	8	125,978	3	19	409,652	8	3
Geelong - - - -	35,300	0	0	49,291	0	0	84,591	0	0
Total - -	318,974	4	8	175,269	3	19	494,243	8	3

NOTE.—Exports as above during September - -	Oz.	318,974	4	8					
„ overland per S. A. escort to Adelaide -	„	10,714	10	0					
„ „ N. S. W. escort to Sydney -	„	3,007	5	0					
							332,695	19	8
Exports as above during October - -	„	175,269	3	19					
„ overland per S. A. escort to Adelaide -	No Return received.								
„ „ N. S. W. escort to Sydney -	„	5,112	15	0			180,381	18	19
Total - - - -					Oz.		513,077	18	3

H. W. WRIGHT,
Chief Commissioner of Gold Fields.

Office of Chief Commissioner of Gold Fields.
Melbourne, November 14, 1853.

No. 8.

MONTHLY RETURN of Gold received on Private Account, September, 1853.

	Oz.	dwts.	gr.	Oz.	dwts.	gr.
Balance on hand 31st August - - - -	81,703	4	0			
Received from Mt. Alexander - - - -	156,821	5	0			
„ „ Ballarat - - - -	14,265	10	0			
„ „ Ovens - - - - -	16,728	10	0			
„ „ McIvor - - - -	12,850	10	0			
				282,368	19	0
Delivered to the public - - - - -	170,531	17	0			
Sent to Geelong - - - - - -	2,233	8	0			
				172,765	5	0
Balance - - -				Oz. 109,603	14	0

W. H. COPE,
Gold Receiver.

MONTHLY RETURN of Gold received on Private Account, October, 1853.

	Oz.	dwts.	gr.	Oz.	dwts.	gr.
Balance on hand 30th September - - - -	109,603	14	0			
Received from Mt. Alexander - - - -	100,021	11	0			
„ „ Ballarat - - - - -	12,420	10	0			
„ „ Ovens - - - - -	9,638	0	0			
„ „ McIvor - - - - -	7,431	0	0			
				239,114	15	0
Delivered to the public - - - -	152,156	4	0			
Sent to Geelong - - - - - -	325	5	0			
Error in Moliague Schedule of 3rd October, 1853 - -	24	0	0			
				152,505	9	0
Total - - - -				Oz. 86,609	6	0

MEMORANDUM.—Value of Gold &c., received at the Gold Office Treasury :—

Total to the 31st December 1852 - - - -				£5,278,525	0	7
„ from 1st January to 31st October 1853						
Gold, Ozs. 1,117,338 @ 77*s.* 6*d.* per Oz. - -	£4,329,684	15	0			
Cash - - - - - -	323,567	10	9			
Parcels average - - - - - -	1,200,000	0	0			
				5,853,252	5	9
Grand Total - - -				£11,131,777	6	4

W. H. COPE,
Gold Receiver.

Nos. 9 and 10.

[RETURNS of current rates of Wages and Prices, being extremely voluminous, are not printed.]

No. 11.

RETURN showing the Number of Persons who have arrived inand departed from the Colony of Victoria by Sea, during the Month of September 1853.

ARRIVALS.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	793	159	83	13	483	95	61	12	594	122	92	12	48	7	9	1	1,918	383	245	38	1,305	699	359	77	556	70	35	1	3,779	1,145	639	116	5,679
Geelong -	98	5	2	1	–	–	–	–	188	32	15	2	–	–	–	–	286	37	17	3	115	234	114	26	–	–	–	–	401	271	131	29	832
Other Ports	1	2	1	–	–	–	–	–	1	–	–	–	–	–	–	–	2	2	1	–	7	1	–	–	–	–	–	–	9	3	1	–	13
Total -	892	166	86	14	483	95	61	12	783	154	107	14	48	7	9	1	2,206	422	263	41	1,427	927	473	103	556	70	35	1	4,189	1,419	771	145	6,524

DEPARTURES.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	646	128	84	12	439	47	46	1	413	56	45	6	23	6	5	–	1,521	237	180	19	201	37	24	8	11	3	2	–	1,733	277	206	27	2,243
Geelong -	–	–	–	–	–	–	–	–	74	10	2	–	–	–	–	–	74	10	2	–	6	–	–	–	–	–	–	–	80	10	2	–	92
Other Ports	6	3	2	–	–	–	–	–	–	–	–	–	–	–	–	–	6	3	2	–	–	–	–	–	–	–	–	–	6	3	2	–	11
Total -	652	131	86	12	439	47	46	1	487	66	47	6	23	6	5	–	1,601	250	184	19	207	37	24	8	11	3	2	–	1,819	290	210	27	2,346

Immigration Office,
Melbourne, October 7, 1853.

By authority. EDWARD GRIMES,
Immigration Agent.

RETURN showing the Number of Persons who have arrived in and departed from the Colony of VICTORIA by Sea, during the month of October 1853.

ARRIVALS.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The Neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne - -	837	123	38	5	832	193	167	7	715	117	77	11	70	16	31	3	2,454	449	313	26	1,558	1,040	427	69	325	63	66	5	4,337	1,552	806	100	6,795
Geelong - -	98	24	25	1	–	–	–	–	98	27	21	3	24	7	6	2	220	58	52	6	9	4	4	–	–	–	–	–	229	62	56	6	353
Other Ports - -	–	–	–	–	–	–	–	–	12	6	2	–	–	–	–	–	12	6	2	–	100	151	80	9	–	–	–	–	112	157	82	9	360
Total -	935	147	63	6	832	193	167	7	825	150	100	14	94	23	37	5	2,686	513	367	32	1,667	1,195	511	78	325	63	66	5	4,678	1,771	944	115	7,508

DEPARTURES.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The Neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports, Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne - -	682	95	58	9	548	61	24	4	519	77	32	3	62	17	31	–	1,811	250	145	16	72	18	13	–	90	12	5	–	1,973	280	163	16	2,432
Geelong - -	7	3	2	1	–	–	–	–	63	12	2	–	–	–	–	–	70	15	4	1	23	1	1	–	–	–	–	–	93	16	5	1	115
Other Ports - -	–	–	–	–	–	–	–	–	1	1	–	–	–	–	–	–	1	1	–	–	–	–	–	–	–	–	–	–	1	1	–	–	2
Total -	689	98	60	10	548	61	24	4	583	90	34	3	62	17	31	–	1,882	266	149	17	95	19	14	–	90	12	5	–	2,067	297	168	17	2,549

Immigration Office,
Melbourne, October 4, 1853.

EDWARD GRIMES.
Immigration Agent.

No. 12.

RETURN of Vessels in Harbour, Ports of Melbourne and Geelong, 1 Nov. 1853.
[This voluminous return is not printed.]

No. 13.

A RETURN of the Disposal of 46 Persons for Trial at the Circuit Court, Castlemaine, Colony of Victoria, on the 10th October 1853.

Offence.	Convicted.	Acquitted.	Discharged from absence of Witnesses.	Remanded to next Sessions.	Total.
Murder	1	1	-	-	2
Manslaughter	-	1	-	-	1
Shooting at and wounding with intent to do grievous bodily harm	2	-	-	-	2
Robbery in company	9	4	1	-	14
Stealing in a dwelling-house to the value of 5*l.*	5	3	-	3	11
Stealing from the person	1	1	-	-	2
Horse stealing	2	-	1	-	3
Larceny	4	2	-	-	6
Receiving	-	-	-	1	1
Assault with intent to rob	2	-	-	-	2
Indecent assault	1	-	-	-	1
Uttering, &c.	-	1	-	-	1
	27	13	2	4	46

SENTENCES.

15 years on the roads of the colony,	3 first in irons			1
14	ditto	3	ditto	2
12	ditto	3	ditto	3
12	ditto	2	ditto	6
10	ditto	2	ditto	1
8	ditto	1	ditto	3
8	ditto	-	-	2
7	ditto	-	-	1
6	ditto	-	-	1
5	ditto	-	-	2
4	ditto	-	-	1
2	ditto	-	-	1
20 months	ditto	-	-	2
9 ditto	ditto	-	-	1
8 ditto	ditto	-	-	1
3 years imprisonment on board the hulk				1
				29

HENRY F. GREENER, Crown Solicitor.

Note.—Two prisoners were twice convicted on different indictments and received two sentences, the second to take effect on the expiration of the first sentence; this accounts for the discrepancy between the number convicted and sentenced.

No. 14.

RETURN of the estimated Population on the various Gold Fields of this Colony, on 29th October 1853.

District.	Men.	Women.	Children.	Total.	Remarks.
Castlemaine	16,630	3,900	3,350	23,880	
Sandhurst	17,900	5,000	4,700	27,600	
Ballarat	8,200	3,150	3,100	14,450	
Beechworth	4,480	520	300	5,300	
Heathcoate	6,500	1,600	900	9,000	
Total	53,710	14,170	12,350	80,230	

Office of the Chief Commissioner of Gold Fields,
Melbourne, November 14, 1853.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 15.

RETURN of Land Sold at the various Gold Fields to 31st October, 1853, shewing Locality and the Number of Acres.

Gold Field.	Name of Town and Locality.	Quantity sold in each Town.	Amount realised.
		A. R. P.	£ s. d.
Mount Alexander Gold Field	Castlemaine, at Forest Creek	33 0 0	7,643 5 0
Ditto - - -	Elphinstone, at Saw Pit Gully	41 3 0	3,575 6 6
Adjacent to ditto - -	Lockwood, at Bullock Creek	24 0 0	992 0 0
Ditto - - -	Carisbrook Junction of Deep and Greenock Creeks -	17 2 2	744 0 0
Ditto - - -	Malmsbury, at the Crossing of the Coliban River -	7 2 0	859 10 0
Ballarat Gold Field - -	Ballarat - - -	18 2 0	3,749 0 0
Ditto - - -	Buninyong - - -	61 3 3	7,367 0 0
Ovens Gold Field - -	Beechworth - -	21 3 0	2,541 12 0
	Total Town Lands Sold -	225 3 0	24,471 13 6

Gold Field.	Name of Parish and Locality.	Quantity sold in each Parish.	Amount realised.
		A. R. P.	£ s. d.
Mount Alexander Gold Fields	Elphinstone, at Saw Pit Gully	2,256 2 13	4,629 8 8
Adjacent to ditto - -	Crisbrook, at the Junction of the Deep and Mount Greenock Creeks -	4,233 3 14	4,801 17 11
Ditto - - -	Edgecombe, near Malmsbury on the Coliban - -	841 0 0	6,219 7 0
Ditto - -	Woodend, at Five Mile Creek	163 2 10	1,975 18 7
Ballarat Gold Fields - -	Buninyong - - -	128 2 22	1,216 16 6
Ovens Gold Field - -	Beechworth, at Spring Creek	50 0 0	632 10 0
	Total Suburban and Country Lands - -	7673 2 19	19,475 18 8

Surveyor General's Office, Melbourne,
November 22, 1853.

WM. CLARKE, R. E.,
Surveyor General.

No. 4.

COPY of a DESPATCH from Lieut-Governor LATROBE to the Duke of NEWCASTLE.

(No. 177.) Melbourne, November 17, 1853.
(Received February 13, 1854.)

MY LORD DUKE, (Answered No. 24, 9th September 1854, Page 177.)

IN my Despatch No. 150* of the 12th September, paragraph 28, I informed your grace of the appointment of a select committee of the Legislative Council then in session to take evidence and report upon the administration of the Gold Fields of the colony, and I take advantage of this mail to forward, for the information of Her Majesty's Government, the enclosed report which has been recently agreed to by that comittee, brought up, and laid upon the table of the Council, with the minutes of evidence† thereto appended.

2. In the concluding paragraph of the Despatch above cited, I stated what I believed would be the result of the inquiries to be instituted by the committee; and I think that a perusal of this report, and of the evidence upon which it is founded, will be held to bear me out in the confident opinions which I have elsewhere expressed upon the past management of the Gold Fields in the hands of the Government, the general character of the gold mining population, and upon the causes which led to the recent disturbances.

3. It may be requisite for me to state that it is not the intention of Government to move the adoption of this report, inasmuch as in proposing a system of future management it does not in every particular meet my views or embrace the entire Government scheme. A draft bill, however, which was laid on the table of the house at the commencement of the session, has been withdrawn, and another, embodying, as far as appears to be judicious, the recommendations contained in the report of the select committee, substituted in its place, and I will take an early opportunity of reporting the result.

4. My despatch of this date, No 176., furnishes undoubted and very satisfactory evidence of the results of the temporary measure adopted for the management of the Gold Fields. * Page 80.

I have &c.
(Signed) C. J. LATROBE.

The Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 4. Encl. in No. 4.

REPORT.

The Select Committee of the Legislative Council, to which the bill for the better management of the Gold Fields was referred, have agreed to the following report :—

At the close of the last session of Council, during which the Gold Fields had been made the subject of inquiry by a select committee of your honourable house, their general condition, although at all times a matter of much interest, was not such as to require the actual intervention of the legislature. No serious difference existed between the executive and the miners; the licence fee was paid, if not cheerfully at least without opposition or evasion to any great extent. The yield of gold was generally abundant, and attempts which from time to time were made to divert the miner from his legitimate pursuits, and to foster discontent, had signally and universally failed. This state of things produced a general feeling of confidence in the stability of the country, and a disposition was becoming manifest of bringing capital and science to the aid of the ruder methods of mining, and of furthering the permanent settlement of the interior.

At the commencement of winter, however, the political aspect of the Gold Fields became somewhat clouded. An unprecedented stream of population, which was not met by a corresponding discovery of new fields, continued to pour in from the mother country and the neighbouring colonies. In consequence, the average yield, which had been so great as to obviate any objection to the amount of licence fee, perceptibly diminished, and the healthy tendency to settlement, from which so much had been hoped, was less observable.

At this juncture, the agitation at the Gold Fields of New South Wales, an agitation which your committee cannot but attribute to the harsh and impolitic law recently enacted in that colony, extended itself to our districts. Foreigners and others, who had hitherto withstood the inducements offered by the richer fields of Victoria, were impelled,

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* Page 158. of Papers on Australian Gold Discoveries, presented to both Houses of Parliament by command of Her Majesty, February 1854.

† The voluminous minutes of evidence accompanying this report are not printed.

VICTORIA.

by the effects of that legislation to seek their fortunes here, bringing with them feelings of discontent against public authority, and an undiscriminating jealousy of the law. The evils of this agitation were aggravated by the presence of a large number of expirees and criminals from the neighbouring colonies, who by their threats of plunder and violence divided the attention of the authorities, necessarily more anxious respecting the preservation of life and property than the collection of a revenue, and deterred many otherwise well-disposed from actively supporting the cause of order.

The protracted and unexplained delay in passing an amended act in New South Wales assisted to keep alive the agitation in this country, which reached its height during the month of August last, immediately before the opening of the present session of your honourable house, the movement at that time being almost exclusively directed against the amount of the licence fee, then fixed at 30*s.* per month. That amount, in the unanimous opinion of your committee, pressed heavily upon the unsuccessful; a class forming a considerable portion of the mining population, and who were thereby induced to express their determination of opposing, by a system of passive resistance, the enforcement of so large a fee. In this opposition nearly all united, a common interest in the reduction of the charge having served as a bond of union amongst numbers differing in their wishes in other respects.

Your committee regret to find, from the evidence submitted to them, that the general discontent was inflamed by the representations of a portion of the public press. It was asserted that political privileges, which it was within the power of the legislature to confer upon the miner, were designedly withheld from him. He was led to believe that his earnings were heavily taxed for the benefit of others; that his wishes were consulted as little as his wants were regarded; that, although entitled to privileges identical with those of his fellow-colonists, he was the subject of special and exceptional legislation; that he was not permitted to contribute his quota to the revenue through the ordinary channels, but that it was demanded from him by an armed police; and that he was deemed morally unfit to be intrusted with the common privileges of citizenship.

Whilst matters were in this state, your honourable house met, and your committee was appointed, and on being put in possession, by correspondence and other evidence, of the actual condition of affairs, unanimously advised the passing of the temporary act now in force; a measure, the sound policy of which has been sufficiently proved by the perfect success with which it has been attended. They have since been enabled to consider in detail the various questions affecting the Gold Fields, and have obtained all the evidence in their power from persons both in public and private stations connected with each of the auriferous districts.

To the evidence thus adduced they would direct the earnest and minute attention of your honourable house. It will be seen that while a common object appears to have been aimed at by almost every witness, many of the statements made are so conflicting, and some of the opinions expressed so ill-digested, as to cause the greatest difficulty in drawing from them anything like a satisfactory conclusion.

Your committee have duly considered the measures suggested by his Excellency in his opening address, and also the proposition for the sale and lease of auriferous lands contained in the bill submitted to them.

The majority of your committee do not concur in thinking the proposed export duty on gold desirable, nor can they recommend any general system for the sale or lease of the Gold Fields. Although well aware of the defects inherent in the licensing system, they have been compelled (after mature consideration of each substitute proposed in lieu thereof) to recommend its retention, as the best practical means of conserving social order, and maintaining the fundamental principle on which the rights of property, whether public or private, are founded.

They would at the outset express their dissent from the doctrine recently promulgated, that the property of the public may be used gratuitously and without authority; and they consider it essential that legislation on the subject referred to them should be based on the principle that every person using the property of the State should be required to pay for it the equivalent fixed by the State.

In considering the question of the amount of the fee to be in future levied, they have not regarded the sum proposed to be charged in New South Wales, inasmuch as no system adapted to the capabilities and extent of the gold mines in that colony could afford sound data in legislating for the mass distributed over the vast auriferous districts of Victoria. Nor have they viewed the amount of licence fee solely with reference to the revenue which it would produce. They have been influenced only by what they deemed to be just to the population on the Gold Fields, and equitable towards the public, convinced that true policy ought to induce the legislature to promote by every means in their power that which is the greatest source of the wealth of the colony.

Being persuaded that the periodical collection of a revenue at brief intervals is a constant source of irritation, and adds greatly to the impatience naturally felt against all imposts, your committee advise that it should be optional with the miner for what period to take out his licence, and that every inducement should be offered to him to choose the more lengthened period; and, after a careful discussion of the different plans proposed, have

resolved to recommend that the mining fee shall be fixed according to the following scale :—

£1 for one month.
£2 for three months.
£3 for six months.
£5 for twelve months.

From the success which has attended the present temporary measure, your committee have been induced to adopt it as the basis of the scale of payments to be proposed for permanent enactment. It will be observed that the fee for three months is identical with that now established; the rate for one month being somewhat in excess, and that for the longer period being proportionately diminished.

The uncertainty attending the ordinary avocations of the working miner has induced your committee to fix a scale so low as can scarcely be felt oppressive, even by the unsuccessful.

Your committee would recommend that several advantages should be granted to those who may become annual licencees. They consider it reasonable that the elective franchise should be extended to this class. But as any bill passed by your honourable house for this purpose must, previously to its becoming law, be laid before both Houses of Parliament for thirty days prior to receiving the royal assent, and as no time would be gained by introducing a separate measure for this object, your committee would recommend that the necessary provision should be made in the new constitution, the preparation of which now engages the attention of your honourable house At the same time your committee are of opinion that those who will not, by obtaining a yearly licence, afford a guarantee for their settlement in and attachment to, the colony are not entitled to be intrusted with so important a privilege; and that a migratory population, many thousands of whom are not resident for more than a few months in the country, should not have power to interfere in permanent legislation for its internal government.

They would further suggest that a right should be conceded, without additional charge, to annual licensees, to cultivate ground for gardening, subject to such regulations as may be necessary to prevent any interference with the sale of agricultural or the working of auriferous lands.

By granting such advantages, and by making the proposed reduction to those who take licences for the longer period, your committee trust that ere long the evils hitherto attendant upon the wandering and unsettled habits of the miner may be removed.

It has been stated to your committee, that it would be regarded as a hardship by the working miner if he alone, of all the residents on the Gold Fields, were called upon to pay towards the exigencies of the state, whilst others, who in truth derive more benefit from his labour, were not required to contribute their fair proportion. Your committee assent to the justice of this view, and would recommend the imposition of an annual charge upon all persons engaged in trade on the Gold Fields.

They also advise that, with a view of further developing the resources of the colony, every encouragement, not detrimental to or antagonistic with the pursuits of the individual miner, should be held out to companies to work such portions of land as would not repay private enterprise. A vast amount of wealth, otherwise unavailable, would by these means be procured, and a large field for employment ensured to many who may not have succeeded in their uncombined efforts. Land, heretofore imperfectly worked, or too poor for rude and unscientific labour, would be rendered a prolific source of prosperity, and thus it is conceived that the operations of companies, so far from being prejudicial, would be generally advantageous to the industrial class. Companies or associated miners ought also, in the opinion of your committee, to receive every legitimate encouragement in working quartz veins. Land suitable for both these purposes might be let on lease, or even in some instances sold, subject to proper regulations. In no case, however, does it seem desirable to disturb the operations of the individual miner.

But as the most certain mode of identifying a people with the country, and binding them to support the law, is to give them a vested interest in the soil, your committee would recommend that a large amount of land immediately contiguous to the Gold Fields should be offered for sale in allotments of various sizes, and that if the accomplishment of this object should be found to interfere with existing rights, compensation should be awarded, rather than that the claims of the occupant should be permitted to impede the permanent settlement of these districts.

Your committee, in thus viewing the settlement of the Gold Fields as a matter of the utmost moment, have considered the expediency of further facilitating the occupation of land; but, regarding the propositions on this point already alluded to as sufficient, if carried out with energy, to meet existing wants, do not propose to offer any further suggestions, or at this period to advise legislation, avowedly imperfect, on a subject which your committee trusts will at no distant day be brought fully under the consideration of the country.

Your committee are far from thinking that the larger number of the miners are less intelligent or well disposed, than their fellow colonists, and they would strongly urge that in every possible manner the same law and practice should apply to the residents on the Gold Fields as elsewhere, unless when the peculiar nature of their pursuits makes this impracticable, or some great benefit renders a change expedient.

One fertile source of irritation and crime has been the practice of selling spirits without a licence, an inevitable result of the prohibition of all sales. It has been proved that

VICTORIA.

illicit traffic is all but universal, and that too in an article of a deleterious nature, and at extravagant prices. Your committee are of opinion that the same facilities should be afforded for the sale of fermented and spirituous liquors on the Gold Fields as elsewhere.

Encroachments upon mining claims, which cannot practically be redressed by the ordinary legal means, and disputes between partners in mining, the law respecting which, even were the tribunals more accessible, is too cumbrous for ready application, appear to your committee to require special legislation; they would therefore recommend generally that a simple and expeditious mode of determining such cases should be introduced.

They would also suggest, that encouragement should be given to those who may be disposed to "prospect," with the view of discovering new Gold Fields. Some inducement appears necessary, as the miners are naturally reluctant to sacrifice certain gain, by undertaking a task, which, whatever benefits it may promise to the public, is too often unprofitable to themselves.

Your committee entertain the belief that all reasonable demands have been fairly met by this report, and they are confident that the liberal policy they recommend to your honourable house will be productive of the best effect. That any legislation can be looked upon as permanent in a state of things changing so rapidly from day to day is perhaps more than can be expected; but the present proposals seem to remove all the chief grounds of complaint, and provide, as far as possible, for the future development and settlement of this country, and for the encouragement of the great source of her prosperity.

In conclusion, they would advise that the bill submitted to them should be remodelled, with a view of embodying the suggestions contained in this report.

(Signed) JOHN FOSTER,
Chairman.

No. 5.

COPY of a DESPATCH from Lieut.-Governor LATROBE to the Duke of NEWCASTLE.

(No. 187.)

MY LORD DUKE, Melbourne, November 24, 1853.
(Received February 13, 1854.)

I HAVE the honour to transmit, for the satisfaction of Her Majesty's Government the following very interesting papers, viz.—

5th Sept. 1853. Page 95.
1st. The first general report of the government botanist on the vegetation of this colony.

2d Oct. 1853. Page 98.
2d. A botanical report by William Swainson, Esq., F.R.S.

29th Sept. 1853. Page 102.
3d. A report on the geology and mineralogy of Mount Alexander and the adjacent country, lying between the rivers Loddon and Campaspie; with chart attached.

2. With regard to the first, there can be no doubt of its value, and of the interest which it will excite. The gentleman* whose services in the capacity of government botanist it has been our good fortune to secure, is one whose ability both in the collection and examination of the flora of this and the neighbouring colonies is beyond all question.

*Dr. Ferdinand Müller.

3. Mr. Swainson's services were secured by me, with the sanction of the Legislative Council, for the limited period of one year, with the special object of enabling him to examine and report upon the varieties and qualities of the family of *Eucalyptidæ*, or gum trees, in this colony. In how far the result may justify the expectations formed, or prove of importance, either in a scientific or economical point of view, I must leave it for more competent judges to decide. The term of his engagement having arrived, Mr. Swainson has proceeded to Van Diemen's Land under a somewhat similar engagement with the Lieutenant Governor of that colony.

4. The third document is the first report of the mineral surveyor selected by Her Majesty's Government for service in this colony. I have every confidence in Mr. Selwyn's diligence and accuracy, and I anticipate from his labours the gradual compilation of materials for a complete geological chart of the colony of unquestionable value and authority. I may be allowed to state that the lithographical map which accompanies his report has been executed by a press recently established in connexion with the Surveyor General's department, mainly for the purpose of the ready publication, for the convenience of the public, of maps of lands proclaimed for sale.

I have, &c,
(Signed) C. J. LATROBE,

The Duke of Newcastle,
&c. &c. &c.

Enclosure 1 in No. 5.

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FIRST GENERAL REPORT of the GOVERNMENT BOTANIST on the Vegetation of the Colony, dated September, 1853.

Botanic Gardens, Melbourne,
September 5, 1853.

SIR,

IN obedience to His Excellency's command, I have the honour to transmit to you my general report, partly compiled from those documents which I forwarded on several occasions during my journey, from February until June last, and partly resting on the subsequent examination of the specimens which I brought home.

Before I enter into any details on the classification of our indigenous vegetable world, on its relation in comparison with the plants of the adjacent countries, and on the practical uses to which we might possibly apply many of its productions, it may be considered decessary to delineate the route which I pursued during my last expedition.

I proceeded at first, with deviations from the usual road wherever it appeared favourable for my pursuits, to Futter's Range, which rears like some other granitic mountains in its vicinity a host of very peculiar plants. Thence I directed my course to May Day Hills, from which place I advanced, after a brief stay, to the Buffalo Ranges, where I ascended Mount Aberdeen and another peak more than 4,000 feet high, and examined the rich, almost tropical, vegetation which borders the rivers rising in these mountains. It was in this locality that our exertions were rewarded with the discovery of the high majestic Grevillea Victoriæ and other rarities. Indications of gold have been observed here as well as in some parts of Gipps Land which I subsequently visited. The superintendent of the Melbourne botanic gardens, who was engaged during this part of the journey in collecting seeds, here parted from me, being obliged to return homeward to resume his duties at the botanic gardens.

As Mount Aberdeen offered hardly any plants of a true alpine character, I resolved to ascend Mount Buller, whose summits at an elevation of more than 5,000 feet are covered throughout the greater part of the year with snow. Travelling quite alone since leaving the Buffalo Ranges, the ascent was not accomplished without considerable danger. But I was delighted to observe here, for the first time, this continent's alpine vegetation, which in some degree presented itself as analagous with the alpine flora of Tasmania (Ranunculus Gunnianus, Euryomyrtus alpina, Celmisia astelifolia, Gentiana Diemensis, Podocarpus montana, Trisetum antarcticum, &c.), and which was also by no means destitute of its own peculiar species (Phebalium podocarpoides, Goodenia cordofolia, Hovea gelida, Oxylobium alpestre, Brachycome nivalis, Anisotome glacialis, &c.) Remarkably enough, only one of these exhibits any similarity to the singular subalpine forms discovered by Sir Thomas Mitchell on the Australian Grampians. Mount Buller had never before been scientifically explored; and Mount Aberdeen up to this time had not even been ascended.

After some other less elevated mountains in the neighbourhood had been also botanically examined, I resumed my journey along the Goulburn River and some of its tributaries to the King Parrot Creek, where I crossed the Yarra ranges. The unusually heavy rainfall in the autumn would have frustated any attempt to reach, as I then contemplated the alpine mountains of Gipps Land, and I considered it therefore more advisable, at the already advanced season, to devote my time rather to the examination of the maritime plants which are in almost equal state of developement throughout the year.

I went accordingly, for some distance along the La Trobe river, to the south-eastern coast of Gipps Land, passing some rich ravines, luxuriantly filled with two species of fern tree, Alsophila Australis and Dicksonia antarctica; the former of which, seemingly, never accompanies the Dicksonia far inland, but remains in those valleys which slope towards the sea. Notwithstanding these geographical limits, the Alsophila, occupying generally the drier localities on the hills, recommends itself better for transplanting.

After several week's travelling in the neighbourhood of Port Albert, and many excursions through Wilson's Promontory, I quitted Gipps Land, returning homeward along the coast.

This journey, the lines of which extended over more than 1,500 miles, enriched my collections, formed during the spring, so far that they comprise probably now more than half the indigenous vegetation of this colony. For, according to the index* which I have annexed, including also several plants discovered previously by Sir Thomas Mitchell and by his Excellency the Lieutenant Governor, there are known to me now already 715 species of Dicotyledoneæ, belonging to 286 genera and 83 natural orders; 201 species of Monocotyledoneæ comprehending 100 genera and 21 natural orders; and 47 ferns, containing 27 genera, About fifty other species, however, which I have not included in this general account, are not yet so exactly examined as to receive their true systematic position, and are consequently not enumerated in the list; while fifty others, not indigenous, but introduced species (marked with *), are likewise not taken into account, although they are not only naturalized beyond the possibility of extirpation, but even overpower the more tender indigenous plants. I regret that I was also obliged to omit from this index all the lower Acotyledoneæ (Mosses, Lichenastra, Lichens, Algæ, and Fungi), to the amount of at least 200 species, of which I could examine this winter too few to display them in a systematic arrangement. The full amount of species, therefore, considerably exceeds 1,100, belonging, with exclusion of the above-mentioned Acotyledo-

* This index will be found in the Appendix to the present paper.

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neæ and the foreign plants, to no less than 430 genera and 108 natural orders—proportions which far surpass those of Western Australia, where more than twice this number of species (according to the collections of Dr. Priess) are only divided into exactly the same number of genera already discovered here (430), and only into 91 families.

The index might have been increased without difficulty to a two-fold number of names; but through a long-continued examination of the Australian plants in a living state, I had the advantage of learning how great is the uncertainty of many characteristics, which are deemed, even by our greatest authorities in science, sufficient for distinction. According to the annexed enumeration, the proportion of the Dicotyledoneæ to the Monocotyledoneæ will be found, for that part of the country over which my investigations this year extended, nearly as seven to two, and corresponds, therefore, exactly with the position which these great divisions of the vegetable kingdom hold to each other in South Australia up to the thirty-fourth degree south latitude (as shown in my observations on the South Australian flora, late read before the Linnean Society in London), and holds, likewise, the mean between the proportions ascertained by Robert Brown for Van Diemen's Land and New South Wales; while in West Australia, as well as in South Australia, including the country there to the thirty-first degree south latitude, the number of the Dicotyledoneæ exceeds in the proportion of nine to two that of the Monocotyledoneæ.

The Cryptogamic plants, however, favoured by a more humid atmosphere are twice as numerous in our province as in the last-mentioned colonies, being about equal to a third of the Dicotyledoneæ.

Excluding all Cryptogamic plants, not less 200 species, as testified by the index, are proved to be as yet undescribed. Some of these occurred to me in South Australia; and the descriptions of several others will probably find a place in Dr. J. Hooker's forthcoming "Flora of Van Diemen's Land." These novelties enabled me already to establish seven new genera (Pseudomorous, Basileophyta, Phæoleuca Tetrachaeta, Minuranthus, Psoraleopsis and Rhytidosporum.

The descriptions, not only of almost all the new plants, but also critical notes and observations on the phytogeographical range of the species already known, will be forwarded to Sir William Hooker before my departure for the interior, and will afterwards constitute, together with the scientific elucidations of such plants as may be added during the ensuing season from the yet botanically unexplored districts, the foundation of the flora of Victoria.

That the vegetation of the southern parts of our province accords greatly with the Tasmanian flora may be demonstrated by the fact that more than half of all the enumerated species ara known to inhabit Van Diemen's Land, amongst them many of great interest, which had been considered as belonging exclusively to that island, some adding even new genera to the flora of New Holland (Fagus Cunninghami, Bauera Billardierii, Tasmania aromatica, Weinmannia biglandulosa, Pleurandra monadelphia, Ranunculus Gunnianus, Capsella Australis, Pittosporum bicolor, Rhytidosporum procumbens, Rhytidosporum Stuartianum, Boronia dentigera, Eriostemon verrucosus, Corræa Backhouisiana, Meionectes Brownii, Bossiæa horizontalis, Brachycome decipiens, Celmisia astelifolia, Scævola Hookeri, Monotoca lineata, Lissanthe montana, Lissanthe ciliata, Prostanthera rotundifolia, Myosotis suaveolens, Wilsonia Backhousii, Gentiana Diemensis, Sebæa albidiflora, Hakea microcarpa, Podocarpus montana, Phyllanthus Gunnii, Micranthea hexandra, Diplarrhena Moræa, Uncinia tenella, Triodontium Tasmanicum, and a great number of ferns.

No numerical comparison with the flora of South Australia and New South Wales has been instituted, as those localities are not sufficiently examined which bear, perhaps, in this respect as great a resemblance to the adjacent colonies as the southern tract of this province bears to Van Diemen's Land.

Still, there remains yet a considerable number of plants which impress on our vegetation a type of peculiarity; and I may be permitted, for this reason, to call attention to our remarkable species of Panax, resembling mainly those of the Moluccas; to Trigonella suavissima, as the only Australian clover; to the species of Psoralea and to Crantzia, as connecting links with the American flora; to Pseudomorus Australasica, the indigenous mulberry tree; to Myrsine Howittiana, nearer connected with the New Zealand species than with those of New South Wales; and to the alpine Anisotome glacialis, as a genus from Auckland and Campbell's Islands.

With regard to the phytogeographia of this country, it may be deemed worthy of notice that, in the arid steppes beyond the Glenelg river, the vegetation undergoes a remarkable change, and a large number of such plants as are common to Victoria, New South Wales, and Van Diemen's Land, cease to exist, not even re-appearing farther to the westward, where the physical character of the country assumes once more equality or similarity to the eastern provinces. Others, again, extend the geographical limits of certain genera or species which we thought to belong entirely to Western Australia: thus, for instance, Thomasia petalocalyx and Coleostylis Preissii range to the 148th meridian.

It may also be worthy of remark, that the order of Leguminosæ prevails decidedly here, as in Western Australia, over all others; and that the Compositæ, far exceeding in South Australia, and almost throughout the world, any other groups, rank here as the second order. Both, taken together, show such eminent richness as to comprise nearly a fourth of all Dicotyledonar plants. The most predominant natural orders exhibit here, with

regard to their number of species, the following series:—Leguminosæ, Compositæ, Myrtaceæ, Algæ, Filices, Cyperoideæ, Gramineæ, Musci, Proteaceæ, Orchideæ, Epacrideæ, Fungi, Umbelliferæ, Diosmeæ, Liliaceæ, Lichenes, Libiatæ, Goodeniaceæ, Scrophularinæ, and Salsolaceæ.

Finally, and perhaps as to the most important point of my researches, I have to reflect upon the practical usefulness of our vegetable creation, either with regard to medicine, manufactures, or in a domestic point of view.

The inestimable truth, that we may safely deduct the closest affinities of the medicinal properties of plants from their natural alliances—a truth which achieved the most complete triumph of the natural system over all artificial classifications—has generally guided me in tracing out which plants might be administered in medicine. By this guidance I observed, that our Pimeleæ are pervaded by that acridity for which the bark of Daphne Mezereum is employed; that our Polygala veronicea, the only described Australian species of a large genus, and in close relation to one lately discovered in the Chinese empire, not only agrees, like some kinds of Comesperma, with the Austrian Polygala amara, in those qualities for which that plant has been administered in consumption, but also participates in the medicinal virtue of Polygala senega, from North America. Gratiola latifolia and Gratiola pubescens, Convolvulus erubescens, and the various kinds of Mentha, are not inferior to similar European species. The bark of Tasmania aromatica appears to me to possess the medicinal power of the Wintera bark, gathered from a similar tree in Tierra del Fuego; and its fruit is allied to that of the North American Magnoliæ used in cases of rheumatism and intermittent fever. The whole natural order of Goodeniaceæ, with the exception perhaps of a few species, contains a tonic bitterness never recognized before, and discernible in many plants in so high a degree, that I was induced, for this reason, to bestow upon a new genus from the interior the name of Picrophyta: this property, which indicates a certain alliance to Gentianeæ, deserves the more consideration, as the true Gentianæ are so sparingly distributed through Australia, while the Goodeniceæ form everywhere here a prominent feature in the vegetation. Our Alps, however, enrich us also with a thick-rooted Gentian (G. Diemensis), certainly as valuable as the officinal Gentiana lutea; and in the spring, Sabæa ovata, Sabæa albidiflora, and Erythræa Australis, might also be collected on account of their bitterness. The bark of the Australian Sassafras tree (Atherospermum moschatum) has already obtained some celebrity as a substitute for tea:—administered in a greater concentration it is diaphoretic as well as diuretic, and has for this reason already been practically introduced into medicine by one of our eminent physicians. Isotoma axillaris surpasses all other indigenous Lobeliaceæ in its intense acridity, and can be therefore only cautiously employed instead of Lobelia inflata. The root of Malva Behriana scarcely differs from that of Althæa officinalis, and the Salep root might be collected from many Orchidæ. Few may be aware that the Cajeput oil of India is obtained from trees very similar to our common Melaleucæ; and that even from the leaves of the Eucalypti an oil can be procured of equal utility. The Sandarac, exuding from the Callitris or Pine tree, the balsamic resin of the grass trees, and, moreover, the Eucalyptus gum, which could be gathered in boundless quantities, and which for its astringent qualities might here at least supersede the use of kino or catechu, will probably at a future period form articles of export.

Several Acaciæ are of essential service, either for their durable wood or for the abundance of tannin in their bark, which has rendered them already useful, or for their gum; but the latter is even excelled in clearness and solubility by that obtained from Pittosporum acacioides. This species, as well as many other plants of the same order, is distinguished by a surprising yet apparently harmless bitterness—a quality that warrants our expecting considerable medicinal power, and which deserves so much more attention, as till now we know nothing of the usefulness of the Pittosporeæ, although this order extends over a great part of the eastern hemisphere.

The Australian Manna consists in a saccharine secretion, condensed chiefly by the cicades from a few species of Eucalypti, but is chemically very differently constituted to the Ornus Manna, and much less aperient. All our splendid Diosmeæ—a real ornament to the country—approach more or less in their medicinal effect to the South African Bucco-bushes.

Baeckea utilis, from Mount Aberdeen, might serve travellers in those desolate localities as tea, for the volatile oil of its leaves resembles greatly in taste and odour that of lemons—not without a pleasant, peculiar aroma. Trigonella suavissima proved valuable as an antiscorbutic spinach in Sir Thomas Mitchell's expedition; and the Tetragonella implexicoma, the various Cardamines, Nasturtium terrestre, or Lawrencia spicata, may likewise be used for the same purpose. The root of Scorzonera Lawrencii—a favourite food of the natives—would form, if enlarged by culture, an agreeable substitute for Scorzonera Hispanica, or Asparagus; and Anistome glacialis—a large-rooted umbelliferous plant, from the snowy top of Mount Buller—will be added, perhaps, hereafter, to the culinary vegetables of the colder climates. Seeds of the latter plants, amongst many others, have been procured for the Botanic Gardens. Santalum lanceolatum, Mesembryanthemum æquilaterale, Leptomeria pungens, and Leptomeria acerba, deserve notice for their agreeable fruit.

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It would lead too far to enumerate the numerous modest, but lovely, or even the more attractive ornamental plants, which will no doubt hereafter contribute to adorn the gardens here and at home. Still, in a general sketch of our vegetation, I ought not to pass unmentioned, in this regard, the magnificent Grevillea Victoriæ: the splendid parasite of the Fern tree, Basileophyta Friderici Augusti, on which the name of the royal botanist has been bestowed; and the grand Corræa Latrobeana,—three of the most gorgeous plants discovered during my last expedition.

In accordance with his Excellency's instructions, a collection of dried specimens of plants has been commenced for the Government. This Herbarium will be at all times accessible to the public, and will hereafter contribute, I trust, to diffuse, more and more knowledge of our vegetable world, and excite lovers of natural science to assist in my investigations. I began to form, at the same time, a similar collection for the Royal Gardens at Kew.

I am happy to report that the Botanic Gardens are in a very prosperous state, and that the establishment does great honour to the able management of its superintendent. The addition of a large greenhouse, which his Excellency has been pleased to sanction, upon the recommendation of the committee, will be most useful as a receptacle for tropical productions; and a considerable piece of ground has been prepared, this year, to rear all the seeds which have lately been collected for the garden, of which were liberally presented.

The committee deemed it also desirable that an iron foot-bridge for crossing the Yarra should be procured from home, to afford an easier access to the garden for the inhabitants of the eastern part of Melbourne; and by this means the number of visitors —already (chiefly on Sundays) very considerable—will, doubtless, greatly increase.

I trust, therefore, that the Botanic Gardens, as an establishment so desirable for the diffusion of knowledge, for the experimental introduction of foreign plants into our adopted country, or for multiplying the treasures which our own Flora offers, and as a healthy locality for recreation, will continue to receive the support of the Government and the Legislature; and I hope that, by still further extending the communications of this establishment with the Botanical Gardens of other countries, we shall succeed in keeping pace with the general advance of this great and flourishing country.

I have the honour to be,
Sir,
Your most obedient and humble Servant,
DR. FERDINAND MUELLER,
Government Botanist.

The Honourable
The Colonial Secretary.

[Then follows a systematic Index of the Plants of Victoria, which were collected and examined between September 1852 and August 1853, by Dr. Ferdinand Mueller, Government Botanist, as referred to in the foregoing report. This Index is placed in the Appendix to the present paper, see page 186.]

Encl. 2 in No. 5.

Enclosure 2 in No. 5.

VICTORIA.—BOTANICAL REPORT of WILLIAM SWAINSON, Esq., F. R. S.

SIR, Tirhatuan, 2nd October, 1853.

I do myself the honor of laying before your Excellency, in the enclosed papers, the result of my botanical investigations in this province.

My chief attention, for the first five months after being located here, was directed to the family of *Eucalyptidæ*, or Gum Trees, among which I have discovered five distinct and well-marked genera, hitherto unknown as such, and apparently peculiar to Victoria; together with two other new genera, which occur also in the adjacent province.

Having had no accommodation for arranging the different species for comparison, &c., I have been necessitated to pack them up as fast as collected. It is quite impossible, therefore, for me to state, with any degree of certainty, the number of new species contained in the above genera. The packets of dried specimens, seeds, and capsules, will be seen to form a grand total of 1520. I am therefore disposed to think, that even if two-thirds may hereafter prove varieties only, there will yet remain more than 500 species, botanically distinct, only two or three of which I have found in New South Wales.

My researches, in respect to timber trees (from causes already well known), have been quite unsuccessful. The Red Gum (*Canthocarpus*, La.), and the straight Stringy Bark (*Tricanthus* La.), are the only genera I have found whose wood is useful either for sawing or splitting. Specimens of the former (of an unknown species) have been procured and sent to the curator. The latter, of which there are numberless species, and a few of that of *Microcarpus*, or Native Box, are mostly used for fencing.

No reasonable doubt, however, can be entertained, that other parts of the province are more productive than this seems to be of valuable timber; and as the colonial botanist has had the requisite facilities at his disposal for ascertaining this fact during his extensive excursions, he will doubtless have succeeded far better than myself in developing the economical properties of the Victoria timber trees.

During the last year I have made various attempts and experiments to discover the principles of variation amongst the *Cassuarinæ*, vulgarly called He and She Oaks, but

which in reality are the true *Pines* of Australia. It was only in June last, however, that this discovery was effected, and the conviction then arrived at that all the descriptions now existing were perfectly and essentially defective, and therefore quite useless; and that this and the genus *Exocarpus* are the most extraordinary groups of trees yet discovered in Australia. Without being further tedious (as I intend to bring this discovery before the public in another shape), I shall merely state to your Excellency, that the facts I am prepared to bring forward will establish the following propositions:—

1. That the Australian *Pines* belong more to a very remote or primeval *Flora* than to the present.

2. That they are slowly, but surely, disappearing from the face of the earth, and giving place to that comparatively recent order of vegetables which springs up in their stead. In this respect they offer a wonderful analogy to what we have ourselves witnessed in regard to the aboriginal tribes of Australia now giving place to those of the Caucasian race.

Now, of this remarkable tribe I have succeeded in determining more than two hundred species, all still growing within a very short distance of this place, besides having met with several others in different stages of decay, but which, from their bark and other indications, convince me were different from all those I have met with in a growing state. They have, in fact, died from excessive age, and have left no successors.

In the accompanying paper is a list of all the species found by me up to the end of the last month, and an abundance of cones of nearly all these have been collected and sent to the curator of the botanic garden. These your Excellency may now cause to be distributed and made known over the whole civilised world: and thus the botanical garden would probably receive from those established at the Cape, Rio de Janeiro, Calcutta, Ceylon, &c., &c., more rare and costly plants, in exchange, than would fill five such conservatories as that now building in Melbourne.

I should also suggest, that as most of the species are handsome, and many beautiful, growing trees, half an acre or so of ground be appropriated for a seed bed, by which a large number of young plants might be raised, ready to transplant into the projected shrubberies round the Government House, and to distribute among such private individuals as may wish to possess some few examples of these aborigines of the vegetable world.

To establish these discoveries upon the most solid basis, I have given up nearly a month of my engagement with the Tasmanian Government, for, without having laboured, I may say truly, both day and night, for the last three months, I could not have brought the matter to such an unquestionable issue. Without taking two much credit to myself, I feel satisfied that those discoveries will be regarded with as much surprise and almost incredulity amongst the botanists of Europe, as was that of gold in Australia among the geologists of Britain.

Of all those named in the list I possess elaborate descriptions, partly written with the trees before me, and finished before the cones had opened, and thus lost their specific characters. As there exists no scientific society or other medium for publishing an essay on these trees in Melbourne, I think the Royal Tasmanian Society (of which I am an honorary member) will gladly do so in their own transactions.

I have, &c.,
(Signed) WILLIAM SWAINSON, F.R.S.

To His Excellency, the Lieutenant Governor,
&c., &c., &c.,

SCHEDULE *of the* BOTANICAL COLLECTIONS *made by* MR. SWAINSON, *for the Victoria Government, and delivered to the Curator of the Botanic Garden, Melbourne.*

EUCALYPTIDÆ.

I. Dried Specimens of the Sprigs in separate papers, the different genera (all new), or the principal divisions of the family, marked on each. These, altogether, amount to *five hundred and sixty-four*, and are arranged in four distinct series, as under:—

1st Series. Marked with single numbers, and to which the drawings refer, in all	68	
2nd Series. Alphabetically numbered from A 1 to A 12	297	
3rd Series. The number enclosed in a circle, thus (1)	160	
4th Series. Species growing on the Government domain, the respective numbers corresponding to those marked on the trees	39	
		564

II. Species and Varieties contained in small paper bags, labelled as above, each containing Capsules, Leaves, and (where procurable) Seeds and Buds. These together amount to *nine hundred and thirty*, and are arranged in the above manner, viz:—

1st Series. With single numbers	33	
2nd Series. Alphabetical, A 1 to A 12	167	
3rd Series. In a circle (1)	691	
4th Series. From the Government domain	39	
		930

III. Papers of Sprigs (and separate ones), of the Capsules, &c., collected on the Blue Mountains, New South Wales - 26

Total of Species and Varieties - 1520

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PINES.

A series of large bags and tin cases, numbered and named, of all the species of *Cassuarinæ* examined and determined from 26th July to 29th September (a few separate packets of unexamined species) - - - - -	201	
A series of large bags and tin cases of my new genus *Echinocarpus*, or Grass Pines, numbered and named - - - - - - -	21	
		222
Grand Total of Species and Varieties - - - -		1732

DRAWINGS.

Two Portfolios, with Drawings and Dissections, natural size and magnified, of different species and genera of *Eucalyptidæ*. Notes to the above.

(Signed) WILLIAM SWAINSON, F.R.S.

30th September, 1853.

P. S. A small packet of seeds of the finest timber trees of Illawarra.

Having had no convenience for opening and sorting the New South Wales collections, that portion intended for the Victoria Government will be sent from Hobart Town, where every accommodation I require is promised.

(Signed) W. S.

The drawings will be personally delivered to the Curator before I leave Melbourne.

LIST *of* SPECIES *of* CASSUARINÆ, *or* AUSTRALIAN PINES, *discovered, named, and described by* Mr. SWAINSON, *and of which Seeds and Cones (mostly in abundance) have been collected for the Victoria Government.*

N.B.—In several instances *different* species and numbers appear under the same specific name. All these must therefore be considered *provisionary*, and arose from not keeping a memorandum of the names I had already used. Without a single book to refer to, I have been obliged to leave several of the latter species *unnamed* (although described), from having exhausted all the specific names I can think of that were at all applicable to the species.—(Signed) W.S.

THOSE MARKED THUS (*) ARE PARTICULARLY HANDSOME TREES.

CASSUARINÆ.

1	Acuminata - -	Sharp-coned
2	Truncata - -	Truncated
3	Angulata - -	Angulated
4	Lineata - -	Lined.
5	Cylindrica - -	Cylindrical
6	Clavata - -	Club-shaped
7	Nitida - -	Shining
8	Cinnamomina -	Cinnamon-coloured
9	Pubescens - -	Downy
*10	Conica - -	Conic-growing
*11	Compacta - -	Bushy-growing
12	Umbellicata -	Navel-shaped
13	Incerta - -	Uncertain
14	Inarmata - -	Unarmed
15	Obtusa - -	Obtuse
16	Rotundata - -	Rounded
17	Mucronata - -	Prickled
18	Pusilla - -	Small-coned
*19	Lævigata - -	Great-clumped
20	Crassispina - -	Thick-spined
21	Diffusa - -	Spreading
22	Sulcata - -	Sulcated
23	Pedunculata -	Long-stalked
*24	Pendula - -	Pendant
25	Mollis - -	Soft-barked
*26	Excelsa - -	Lofty
27	Ringens - -	Gaping-coned
28	Radiata - -	Radiated
29	Elongata - -	Lengthened-cone
30	Spinosa - -	Spined
31	Tuberculata -	Tuberculated
32	Aculeata - -	Aculeated
33	Echinata - -	Echinated
34	Ramosissima -	Many-branched
35	Moriformis - -	Mulberry-shaped
36	Divaricata - -	Two-spined
37	Producta - -	Long-coned
38	Glabra - -	Smooth
39	Semispinosa -	Half-spined
40	Inflata - -	Inflated
41	Compressa - -	Flat-spined
*42		Cypress-like
43	Incrassata - -	Thickened
44	Querciformis -	Oak-like
45	Nutans - -	Hanging
*46	Divergens - -	Diverging
47	Gibbosa - -	Humped
48	Plumata - -	Plumed
49	Pustulata - -	Pustulated
50	Arcuata - -	Weeping
51	Bituberculata -	Two-tubercled
52	Articulata - -	Jointed
53	Inflata - -	Inflated
54	Distorta - -	Crooked-branched
55	Obsoleta - -	Little-coned
56	Hystrix - -	Hedgehog-spined
57	Carinata -	Carinated
58	Trituberculata -	Three tubercled
59	Concava - -	Concave
60	Armata - -	Armed
61	Rugosa - -	Rough-barked
*62	Planata - -	Smooth
*63	Gracilis - -	Graceful
*64	Longissima - -	Long-coned
*65	Longifolia - -	Long-leaved
66	Paucifolia - -	Few-leaved

VICTORIA.

67	Media	Middle-sized
*68	Thallassina	Sea-green
69	Castania	Chesnut-coloured
70	Dubia	Doubtful
71	Marginata	Margined
72	Sculpta	Sculptured
*73	Lævissima	Smooth
*74	Tesselata	Tesselated
75	Inflata	Inflated
76	Transversa	Transverse
77	Plicata	Plicated
78	Nodosa	Nodulous
79	Spinula	Little-spined
80	Deflexa	Willow-like
81	Rugosa	Rough
82	Bispinosa	Two-spined
83	Browni	Brown's
84	Sinuata	Sinuated
85	Obsoleta	Obscure
86	Excavata	Excavated-cone
87	Cunninghami	Cunningham's
88	Prismatica	Prismatic
89	Variabilis	Variable
90	Depressa	Depressed
91	Æqualis	Equal-sided
92	Ovata	Oval
93	Muricata	Muricated
94	Denticulata	Three-toothed
95	Elevata	Elevated
96	Conicula	Little-coned
97	5-angulata	Five-angled
98	Semiglabrata	Smoothish
99	Scabra	Rough
100	Lindleyana	Lindley's
101	Variabilis	Variable
102	Hispida	Hispid
103	Hookeri	Hooker's
104	Nodulosa	Nodulous
105	Divergens	Forked-coned
106	Excelsa	Tall
107	Magna	Large-coned
108	Sinuata	Sinuated
109	Ferruginea	Rust-coloured
110	Donii	Don's
111	Glabriuscula	Smoothish
112	Minima	Least
*113	Eleganns	Elegant
114	Ramosa	Branched
115	Divergens	Diverging
116*	Arrostia	Arrosto's
116	Interrupta	Interrupted
117	Bisulcata	Two-grooved
118	Rufa	Rufous
119	Parva	Small
120	Arrostia	Arrosto's
121	Quadrata	Quadrate
122	Cuspidata	Cuspidate
123	Insignis	Handsome
124	Arrostia	(This name must be changed)
125	Subulata	Awl-shaped
126	Corrugata	Wrinkled
127	Quadrangulata	Four-angled
128	Compressissima	Compressed
129	Attenuata	Attenuated
130	Semisculpta	Half-marked
131	Emarginata	Notched
132	Protea	Changeable
133	Interrupta	Interrupted
134	Picta	Black and white
135	Acuta	Sharp-spined
136	Gomphosa	Swelled
137	Undetermined	
138	Undetermined	
139	Undetermined	
140	Subrotunda	Rounded
141	Conradi	Conrad Loddige's
142	Speciosa	Beautiful
143	Laxifolia	Long-leaved
144	Nigra	Black-coned
145	Guildingi	Guilding's
146	Bulbata	Swelled
147	Serrulata	Saw-spined
148	Bivona	Bivonas
149	Sparsifolia	Thin-foliaged
150	Sphærica	Spherical-coned
151	4-tuberculata	Four-tubercled
152	Latissima	Broad-valved
153	Subtentata	Little-toothed
154	Obliqua	Oblique
155	Parvispina	Small-spined
156	Globulosa	Globose
157	Intermedia	Intermediate
158		Undetermined*
159	Pygmæa	Pigmy
160	Glandusosa	Thick-spined
161	Tumida	Swelled
162	Cuneata	Wedge-valved
163	Pungens	Prickly
164	Planulata	Flat-spined
165	Gomphospina	Large spined
166	Carnosa	Fleshy
167	Incisa	Cut or engraved
168	Tenella	Slender
169	Inscripta	Lettered
170		Undetermined*
171		Small-celled
172		Undetermined (1
173	Granulata	Granulated
174		Groove-barked
175	Nodularia	Two-noduled
176	Tumida	Tumid-spined
177	Pyramidalis	Pyramidical
178	Castania	Chesnut coloured
179		Slender-spined
180	Triangulata	Triangular
181	Undulata	Undulated-bark
182	Bennetti	Bennett's
183	Lamberti	Lambert's
184	Dubia	Doubtful
185	Quadrata	Quadrate
186	Pulchra	Beautiful cone
187	Puludosa	Swampy
188	Ventricosa	Riffed
189	Hispidula	Hispid
190	Longissima	Very long (2)
191	Pyriformis	Pear-shaped
192	Contracta	Contracted
193	Reflexa	Pendant
194	Divisa	Divided
195	Globulosa	(Sexes united)
196	Denta	Toothed
197	Nitida	Shining
198	Nitidella	Little shining
199	Sabulata	Awl-valved
200	Vary of 177	Pyramidical
201	Granulata	Granulated
202	Uncinata	Hooked

SINCE ADDED

203	Canaliculata	Channelled (3)
204	Aquatica	Marshy
205	Obsura	Half-angled
206	Subpendula	Half-hanging
207	Acutissima	Thorny
208	Abrupta	Abrupt-spined
209	Indistincta	Indistinct
210	Macracantha	Long-spined
211	Semistriata	Scored
212	Palustris	Marshy
213	Variegata	Varied (sexes united)

(1) The valves having opened before this was described, it remains an unknown species.
(2) I doubt if this is the same as the former bearing this name, but I had no access to *that* while describing *this*.
(3) These latter all found on the Round Hill Range, on Mr. Bailby's Run, 7th October, 1853.—(Signed) W. Swainson.

VICTORIA.

Encl. 3 in No. 5.

Enclosure 3 in No. 5.

FIRST REPORT of the Mineralogical Surveyor.

REPORT on the Geology and Mineralogy of Mount Alexander and the adjacent country lying between the Rivers Loddon and Campaspe.

The whole of the above district is occupied by four different Geological formations, viz.:—

1. Granite.
2. Metamorphosed Palæozoic Rocks.
3. Basalt.
4. Auriferous Drift.

The extent of country occupied by the three first of the above formations may be seen by the accompanying tracing of the map on which the boundaries are laid down by compass bearings. The fourth is more or less universally distributed over the area occupied by the second.

1. GRANITE.—This rock everywhere forms an open forest country, consisting of high rocky ranges and undulating grassy hills. Enormous blocks, standing out in bold relief, lie scattered on the summits and flanks of the hills, often affording the most picturesque scenery. These blocks are always *in situ*, and are the result of the decomposition of the surrounding softer portions of the rock. It is for the most part a coarse grained ternary granite (quartz, feldspar, and mica), often very soft, friable, and easily decomposed. In some few places it passes into pegmatite, a compound of quartz and feldspar.

The granite frequently possesses a largely spheroidal or concretionary structure, composed of concentric coats, and the whole being traversed by a system of N. and S. and E. and W. joints, causes it to break up into large rectangular blocks or slabs, with slightly convex and concave faces. These blocks afford a good and easily quarried building material.

Numerous "Elvans" or Dykes occur, cutting through the granite in various directions, in long narrow bands. They are generally composed of a hard, compact, and very fine grained granite, and are evidently of posterior formation to the mass of the granite. They do not appear, as is often the case in other countries, to be accompanied by metalliferous veins. I have been unable to discover metalliferous veins of any description in the granite, and from the general homogeneous character of the rock, and the entire absence in it of quartz veins, I should not anticipate the discovery of gold or other metals, either in the rock itself or in the drifts derived from it.

2. METAMORPHOSED PALÆOZOIC STRATA.—Surrounding the above granitic district on all sides, except to the south-west, where the granite is overlaid by the lava plains of the Loddon, we have a mass of metamorphosed palæozoic strata, striking everywhere nearly true N. and S., and dipping E. and W. at angles varying from 45° to vertical.

These strata, the whole of them aqueous sedimentary deposits, consist of, interstratified, in thick and thin beds,—1. Ferruginous, micaceous, and feldspathic sandstones and grits of various shades of red, brown, and yellow. 2. Hard and soft arenaceous and feldspathic clay, slates, and fine arenaceous banded flagstones. 3. Quartz rock and fine grained quartz conglomerate.

The country occupied by these rocks consist chiefly of bold, rocky, scrubby ranges and gullies, thickly timbered, and of more openly timbered flats. The highest points of the ranges are almost always immediately adjoining the granite boundary. This is a very marked feature, the junction of the granite and metamorphic rocks being almost invariably at the base or on the flanks of a steep rocky range. The palæozoic strata everywhere, for a short distance from the granite, exhibits traces of alteration, being generally harder, more compact, crystalline, and micaceous, but very rarely passing into true mica schist.

The whole mass of these sandstones, grits, clay, slates, &c., is traversed by an intense N. and S. cleavage, as well as by a system of larger joints striking both N. and S. and E. and W., the former generally dipping at right angles or in an opposite direction to the planes of cleavage. This system of joints and cleavage renders the true lines of stratification or original deposition very obscure. They appear, however, generally to coincide with the cleavage, but for the most part are dipping at a somewhat lower angle, which can only be detected on a close and very careful examination.

Coincident with the cleavage, both in strike and dip, and more or less numerous throughout the whole of the palæozoic strata I have examined, are veins of white and reddish ferruginous quartz, from a few inches to six or seven feet in thickness. Coating the joints and fissures in some of the larger veins, we often find much red hæmatitic iron ore. In the quartz, occurring in nests and cavities, I have found—

1. Gold.
2. Galena, in very small quantities.
3. Blende—(Sulphuret of Zinc.)
4. Arsenical Iron.
5. White Iron—Pyrites.

I have heard of Platina having been found, but I have not seen any.

OF THE COUNTRY IN THE VICINITY OF

Mt ALEXANDER

BY A. R. SELWYN GEOL: SURVR

FOR THE COLONY OF VICTORIA.

Scale of English Miles.

Basalt.

Dip of Strata.

Red lines in No. 2 indicating the strike and position of the chief auriferous Quartz veins of Forest Creek and Bendigo.

Open grassy Plains

Level forest Country, the rocks covered with a deep granite drift cut through by Creek, forming cliffs 20 to 40 ft high mostly good pasture land.

Very scrubby & rocky Ranges hard grey & felsparic sandstone red & brown micaceous do traversed by numr quartz veins N. & S.

Soft friable granite chiefly quartz & felspar very little yellow mica.

Granite veins running into the schists near the junction

Scrubby Schists Ranges

65 a 80°

LODDON R.

Mt TARRENGOWER

BRYANTS STN

TARRENGOWER

Line of Section.

Sidereal Axis

Sir Thos Mitchells homeward Track

LODDON R.

CAMPBELLS CR.

CASTLEMAINE

Auriferous Quartz Veins

FOREST CR.

GOLDEN PT FOREST OF GOVT STN

BARKERS CR.

BARKERS STN

MOUNT ALEXANDER

SAWPIT GULLY

COLIBAN R.

SIMPSONS STN

CRAWFORDS STN

ORRS STN

PRYARS HOME STN

MITCHELLS HOME STN

Vesicular lava

Basalt 200 to 300 ft high resting on clay slates

Fine sections of columnar

Altered micaceous schists & sandstone & some fine quartz conglomerate yellowish brown & grey ferruginous slates with quartz veins.

Country being surveyed

Granite Ranges

PIPERS CR.

CAMPASPE RIV.

MOUNT IDA CR.

MUSQUITO CREEK

Rocky flat topped Basal Hills

Much rounded quartz gravel

Soft brown micaceous Sandstone

KANGEROO CR.

Very likely Country for Gold

Red & brown micaceous Sandstone Ridges

WARTLE CR.

Yellow & brown micaceous sandstone & brown argillaceous slates & red shales

High rocky & scrubby Ranges

COLIBAN R.

EX CREEK

SHEEPWASH CR.

Deep road to the Campaspe

Track to Bendigo

BENDIGO CR.

Auriferous Quartz Veins

BULLOCK CR.

From Caltos

LOCKWOOD

Mt TAURUS

RAVENSWOOD

SKETCH SECTION FROM THE RIVER LODDON 2 MILES S. OF BRYANTS STATION OVER Mt TARRENGOWER AND Mt ALEXANDER TO THE JUNCTION OF THE CAMPASPE AND PIPERS CREEK 4 MILES N. OF MITCHELLS STATION.

I have been unable as yet to detect any organic remains in these rocks, and have therefore at present no good evidence as to their actual geological age. Judging merely from lithological character and general appearance, I should however consider them to be equivalents of the Cambrian or Lower Silurian strata of Great Britain, portions of which, as seen in North Wales, they precisely resemble.

3. Basalt.—Resting horizontally on Nos. 1 and 2, in isolated patches and large tracts, forming table lands, flat topped rocky hills, with steep escarpments, and extensive undulating plains, are large masses of basalt, composed chiefly of augite, hornblende, magnetic iron, and feldspar, sometimes very hard, heavy, and compact, and often cellular and scoriaceous, having the appearance of subærial lava. The vesicles are filled or coated with carbonate of lime, and specular iron in mamilated crystals; on the weathered surface these vesicles are generally empty, the carbonate of lime and the iron being decomposed, and the rock having externally a very red and rusty appearance.

This basalt is evidently the remains of vast lava streams which have flowed down and filled up the existing vallies of the country, bringing them nearly to a level with the tops of the lower ranges. Through these lava streams the present river channels have been subsequently denuded, always exposing when cutting sufficiently deep, the subjacent granite or stratified rocks on which the lava has flowed. The isolated patches of lava, as seen on the map, especially along the course of the river Coliban, are interesting as evidences of the former extent of the lava, and of the great amount of denudation which has taken place since its formation.

On the surface the lava has generally a spherical concretionary structure, breaking up into rounded or subangular blocks. This structure, wherever the lava attains a considerable thickness, becomes columnar, probably due to the slower cooling and more perfect crystallization of the lowest portions of the mass. A good example of this may be seen at the junction of the Campaspe and Piper's Creek, where the lava and subjacent stratified rocks are exposed in almost perpendicular cliffs from 200 to 300 feet in height.

4. Auriferous Drift.—This formation, of very late tertiary date, varies in thickness from a few inches to 100 feet and upwards. It consists of stratified and unstratified masses of ferruginous clays, sands, and gravel, interspersed with angular and partially rounded fragments of clay, slate, sandstone, quartz, &c.

It occurs almost universally, distributed in the gullies, on the flats, and over the hills, occupied by the palæozoic strata, and is, in fact, formed from the decomposition, breaking up, and spreading out of the immediately subjacent rocks; the fragments found in it being, with a few local exceptions, seldom much waterworn, and bearing no evidence of having been transported from a distance. The lowest stratum or bottom almost always varies in colour and character with the nature of the subjacent rock, whether a ferruginous clayey sandstone, forming a red or mottled ferruginous sandy clay or gravel, or a soft feldspathic slate producing a white pipeclay, &c.

With respect to the origin and present position of the gold, there can, I think, be little doubt—1st. That the whole of it has been formed in or near the quartz veins, which are now seen traversing the palæozoic strata. 2nd. That its present position in the drift is entirely due to the decomposition, breaking up, and spreading abroad of these quartz veins along with the ordinary sandstones, slates, &c., of the district. Its general position in the lowest portion of the drift resting directly on the solid rock is due—1st. To its great specific gravity as compared with the rest of the materials forming the associated drifts. 2nd. It has always been supposed that gold veins are richest near the surface; and, unlike other mineral veins, gradually become poorer the deeper they are followed. Such being the case, it follows that the deposits now occupying the lowest portions of the drift, formed from those portions of the auriferous quartz veins which were first broken up and distributed during the period of the drift, would be much richer than any deposits formed by subsequent denudation from less superficial portions of the auriferous veins, and all experience tends to prove that such is actually the case.

With respect to the range and extent of this drift formation, I can only state that every part of the country I have seen, which is occupied by palæozoic strata, is more or less covered with drift of the same character, derived from rocks abundantly intersected by quartz veins. The real value of it can, however, only be ascertained by actual working.

Between the western boundary of the granite and the River Loddon this drift appears to attain a very considerable thickness, forming an almost level forest country, extending for many miles, and quite concealing the underlying rocks.

Alfred R. C. Selwyn,
Geological Surveyor.

29th September, 1853.

VICTORIA.

No. 6.

Copy of a DESPATCH from Lieut.-Governor LaTrobe the Duke of Newcastle.

(No. 192.) Melbourne, December 10, 1853.
(Received March 20, 1854.)

My Lord Duke, (Answered No. 24, September, 1854, page 177.

*Page 91.

By my last Despatch, No. 177,* of November 17, on the subject of the Gold Fields of this colony, enclosing a copy of the report agreed to by the select committee of the Legislative Council, now in session, appointed to take evidence on that important subject, I informed your Grace that the bill originally laid by my direction on the council table, for the future management of the same, had been withdrawn, and that another, embodying, as far as appeared judicious, the recommendations contained in the report of the select committee, had been substituted in its place.

2. It is now my duty to transmit an amended Act which has since been passed by the Legislative Council, and which, having received my assent in Her Majesty's name, has now become law. It differs from the original law principally in a graduated scale of fees being fixed for various periods during which the licences may be taken out, namely, one pound for one month, two pounds for three months, four pounds for six months, and eight pounds for twelve months. Provision is also made for granting leases or licences for mining purposes of portions of auriferous lands; for the adjudication by a justice of the peace upon disputes arising from mining partnerships; for appeals against fines exceeding ten pounds; and for a mode of apprehension of parties found mining without licence, less open to the objections which have been made to the previous law.

This Act will be found printed at page 180 of the Appendix to this Paper.

3. I believe that it will be found to meet all reasonable objections, and be considered favourable to the interests and wishes of the more steady and orderly occupants of the Gold Fields. At the same time I cannot shut my eyes to the fact, that there is a section of the population of the Gold Fields whom no measure whatsoever imposing restraint, or insisting on strict adherence to rule and regulation, however reasonable and necessary, will satisfy, and that these will leave no stone unturned to induced distrust and dissatisfaction with the measure of Government.

I have, &c.,
(Signed) C. J. LATROBE.

The Duke of Newcastle,
&c. &c. &c.

No. 7.

Copy of a DESPATCH from Lieut.-Governor LaTrobe to the Duke of Newcastle.

(No. 10.) Melbourne, January 16, 1854.
(Received March 29, 1854.)

My Lord Duke,

Nos. 1 to 15.

I take leave to transmit, for your Grace's satisfaction, the usual returns and reports having reference to the gold districts of Victoria, for the months of November and December.

Nos. 16 to 22.

I would call attention to the general summary appended, which will be seen to embrace the whole period, now upwards of two years, since the gold discovery took place.

2. No occurrences of any very marked character have distinguished the two months more particularly under review, on any of the gold fields. The summer has brought the usual facilities for traffic and travelling, but counterbalances these advantages in many localities by the failure of water, and consequent inability, even on undoubtedly rich ground, to prosecute mining operations successfully. A partial abandonment of the ground in various quarters, and dispersion of the population over a far wider surface, is therefore to be observed.

Ballarat.

3. Ballarat and its vicinity maintains its general character for steady productiveness. Workings have been opened with greater or less fruit at various points within a circuit of 20 miles, but no discoveries at all approaching to the value of the original ground have been made.

With the exception of quarrels, which were remarked early in December, between opposite parties on the ground, general good order has prevailed; and notwithstanding the efforts of the agitators, no indisposition has been shown to conform to the provisions of the new Act.

VICTORIA.

Mount Alexander.

4. General good order has prevailed throughout the Mount Alexander district and the out stations to the north and west. Much new ground has been opened on Campbell's and Barker's creeks. But Fryer's creek and the township in its vicinity, at the junction of Forest and Barker's creeks, continue to be the main points of attraction. Considerable quantities of land have been now sold in this quarter, and many good permanent buildings are being erected. Very good feeling continues to subsist between the authorities and the miners throughout the workings. The new Bill has been on the whole favourably received by the miners; the storekeepers are more inclined to object to the provisions which more particularly affect their interests.

Korong.

5. In the Korong and Molyagall districts, the earlier workings are, from one cause or other, nearly deserted. The Commissioner's camp had been moved from Mount Molyagall, where the water failed, to a permanent water, eight miles from M'Intyre's head station, where about 600 miners had opened a very promising field; two pieces of gold, 107 ounces and 79 ounces weight respectively, had been placed on deposit; and it was judged that a rush would take place to this quarter. The workings extend to the immediate vicinity of M'Intyre's station.

At Menzies Hill workings 300 miners were engaged. An auriferous quartz ridge of 2½ miles in extent had been discovered in that locality.

The population has enjoyed good health in general, and may be held to be on the increase throughout the Mount Alexander district, during the period under review.

Bendigo. Sandhurst.

6. The contrary is to be remarked with respect to the Bendigo district, though the yield of gold still continues very considerable. The population, from the dearth of the season and the holidays, was observed to have decreased greatly during the month of December.

As at Mount Alexander, much old ground, deserted for a while, either for that which was supposed to be richer, or on account of the winter floods, is being again opened. The rejected pipe-clay of the old workings on the White Hills, is now found to be sufficiently rich in gold to yield a good return, and was largely worked.

7. Notwithstanding the concession made to the mining population by the Legislature of all reasonable demands, there are those who continue to seize every opportunity to rouse a spirit of opposition to the law among the mining population; and an attempt was being made to organize what was termed a "*Diggers' Congress.*" The movement is, however, headed by men of no repute. The Commissioner in charge deems it unworthy of serious notice, and expresses his belief that the agitation will soon die a natural death, as the greatest indifference is displayed by the people in general to it.

M'Ivor. Heathcote.

8. At Heathcote and Warunga a considerable decrease of the population was remarked towards the close of the year, chiefly in consequence of the want of water, which totally fails in summer in the latter locality; but there can be no question as to the value of these fields as winter workings. The miners conducted themselves with general good order, and their health has been good.

9. A valuable lode of antimony has been discovered in the vicinity of Heathcote. The Mineral Surveyor reports that upon inspection he found that the discoverer, a Mr. Kinsella, had opened the back of the lode for about 20 feet in length, and 8 to 10 feet in depth, exposing an exceedingly rich vein of sulphurate of antimony, containing about 50 to 60 per cent. of metallic antimony. The vein is about 6 feet in width.

Notwithstanding the very promising appearance of the lode, however, the small value of the metal, £20—21 per ton, the limited demand, and great cost of labour and cartage, makes it very doubtful whether the vein can be worked with advantage.

The May-Day Hills. Beechworth. Buckland River.

10. During the month of November the working throughout the May Day Hill gold district remained steadily but moderately remunerative. The population was considerably increased by arrivals from New South Wales. But in the course of December the discovery of a new gold field on the Buckland River, about sixty miles from Beechworth, caused a general stir among the mining population; and by the close of the year 5,000 people were collected in that quarter. It is impossible to say, at this early date, what may be the real value and extent of this new field, but the accounts hitherto received would make it appear of very considerable importance.

VICTORIA.

The Buckland river is a tributary of the Ovens, which it enters from the south west under the Buffalo mountains, about nine miles above Hilla's station. The country is described as very difficult of access, quite impassable for vehicles and very difficult for men and horses. Beyond the encampment the river runs between precipitous ranges, and the bed of the stream is so narrow in places as to make it impossible for the miners to take advantage of the full breadth of their claims. The present workings are wholly in the bed of the stream. The yield of some of the claims is as much as twenty ounces per man per diem.

By the last accounts the population was steadily increasing, but the broken, impracticable nature of the country will militate against its concentration, and it will require a large staff to keep the scattered miners steadily under control.

11. There can be no doubt but that the whole of this district, up to the great dividing range, is auriferous.

The upper portion of the Mitta Mitta river, which two years ago was resorted to with certain success, has again become the point of attraction. But as the Ovens district where these workings lie, though to the north of the main watershed is almost inaccessible from that quarter, and can only be conveniently reached by a circuitous route through Gipps Land, my information upon this point is at present but scanty.

12. Referring to the enclosed returns for much information, which, however valuable, cannot be furnished conveniently in any other form, I may still add that, as far as I can ascertain, however, the return of the quantity brought down by Government escort and exported from the colony within the interval under review, may appear to indicate some falling off. I am not led to consider that there has been any diminution in the gross yield of the eight weeks under notice, as compared with former months. It must vary according to the season and the passing impulses and fortunes of the miners; but all my inquiry and observation leads me to adhere to the opinion which I have expressed in earlier despatches, that no limit may yet be assigned to the extent and value of the auriferous deposits within our boundaries. I have, &c.

(Signed) C. J. LATROBE.

His Grace the Duke of Newcastle,
&c. &c. &c.

GOLD RETURNS, &c. &c., contained in the Lieutenant-Governor's Despatch, No. 10 of date 16 January 1854.

November and December 1853.

No. 1.—Return of the Number of Licenses issued at the various Gold Fields of this Colony.
No. 2.—Return of the Quantity of Gold transmitted by the Government Escorts from the various Workings.
No. 3.—Return of the Amount received as Fees for Licences issued.
No. 4.—Return of the Amount received as Fees for the Escort of Gold.
No. 5.—Return of Sales by Tender of Government Gold.
No. 6.—Return of the Amount received as Fees for the Custody of Gold and Cash.
No. 7.—Return of Gold Exported.
No. 8.—Return of the Receipt and Delivery of Gold forwarded by the Government Escorts.
No. 9.—Return of the Rates of Wages and Prices current on the various Gold Fields of this Colony.*
No. 10.—Return of the Rates of Wages and Prices current in Melbourne.*
No. 11.—Return of the Arrivals at and of the Departures from this Colony by Sea.
No. 12.—Return of Vessels in Harbour Ports of Melbourne and Geelong.*
No. 13.—Return of the Civil, Military, and Police Force and others employed at and in connexion with the various Gold Fields of this Colony.*
No. 14.—Return of Cases brought before the Circuit Court held at Castlemaine on the 10th December, 1853.
No. 15.—Return of the estimated Population at the various Gold Fields of this Colony.

General Summary.
No. 16.—Return of the Number of Licences issued at the various Gold Fields of this Colony during the Years 1851, 1852, 1853.
No. 17.—Return of Gold Exported during the Years 1851, 1852, 1853.
No. 18.—Return of the Amount of Gold and Cash received at and delivered from the Gold Office during the Year 1853.
No. 19.—Return giving a comparative Statement of Gold and Cash received at the Gold Office from December, 1851, to December, 1853.
No. 20.—Return of the Tonnage of Vessels in Harbour (exclusive of Coasters) Ports of Melbourne and Geelong, from 1st October, 1851, to 31st December, 1853.
No. 21.—Return of the estimated Population at the various Gold Fields of this Colony during the Years 1851, 1852, 1853.
No. 22.—Return of the Arrivals at and Departures from this Colony by Sea from 1st October, 1851, to 31st December, 1853.

* These Returns being extremely voluminous are not printed.

No. 1.

RETURN of the number of Licences issued at the various Gold Fields of this Colony during the months of November and December 1853.

District.	November.			December.			The actual number of Licences issued from the 24th August to the 30th November, in accordance with the temporary Mining Act, assented to 14th September, will be as follows:		Licences issued in accordance with the Mining Act, assented to on 1st December, 1853, during the month of December.		
	Number of Licences issued at 30s. each.	Number of Licences issued at 10s. each in addition to 30s. Licence, now cancelled.	Number of Licences issued at 40s. each.	Number of Licences issued at 20s. each.	Number of Licences issued at 30s. each.	Number of Licences issued at 40s. each.					
	For 1 month.	For 3 months from 1st September.	For 3 months from 1st September.	For 1 month.	For 1 month.	For 3 months.	At 40s. for 3 months.	At 30s. for 1 month.	At 20s. For 1 month.	At 30s. for 1 month.	At 40s. for 3 months.
Castlemaine - - - -	624	15	—	2,935	—	10,843	12,785	1,629	2,935	—	10,843
Sandhurst - - - - -	240	7	—	1,392	—	8,022	18,793	559	1,392	—	8,022
Ballarat - - - - -	330	14	1	705	—	5,922	9,276	910	705	—	5,922
Beechworth - - - -	251	21	3	529	1	2,854	4,567	602	529	1	2.854
Heathcote - - - - -	56	—	—	294	—	877	2,020	869	294	—	877
Total -	1,501	57	4	5,855	1	28,518	47,441	4,569	5,855	1	28,518

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

Office of the Chief Commissioner of Gold Fields,
Melbourne, January 15, 1854.

VICTORIA.

No. 2.

RETURN of all GOLD transmitted by the GOVERNMENT ESCORT from the various WORKINGS from the 1st November to the 31st December 1853.

Date.	Government Gold.		Private Gold.				Total.		Grand Total.	
			Melbourne.		Geelong.					
	Quantity.	Money Value.*	Quantity.	Money Value.*	Quantity.	Money Value.*	Quantity.	Money Value,*	Quantity.	Money Value.*
BALLARAT.										
	Ounces.	£	Ounces.	£ s.	Ounces.	£ s.	Ounces.	£ s.	Ounces.	£ s.
Nov. 1 -	- -	- -	- -	- -	5,119	19,196 5	5,119	19,196 5		
„ 5 -	- -	- -	2,067	7,751 5	4,723	177,11 5	6,790	25,462 10		
„ 12 -	- -	- -	1,729	6,483 15	5,635	21,131 5	7,364	27,615 0		
„ 19 -	- -	- -	3,287	12,326 5	6,689	25,083 15	9,976	37,410 0		
„ 26 -	- -	- -	4,216	15,810 0	5,302	19,882 10	9,518	35,692 10		
„ 30 -	- -	- -	2,350	8,812 10	- -	- -	2,350	8,812 10		
Dec. 3 -	- -	- -	- -	- -	6,129	22,983 15	6,129	22,983 15		
„ 10 -	- -	- -	2,316	8,685 0	5,237	19,638 15	7,553	28,323 15		
„ 17 -	- -	- -	2,044	7,665 0	6,230	23,362 10	8,274	31,027 10		
„ 21 -	- -	- -	2,343	8,786 5	7,302	27,382 10	9,645	36,168 15		
„ 28 -	- -	- -	1,813	6,798 15	- -	- -	1,813	6,798 15		
	- -	- -	22,165	83,118 15	52,366	196,372 10	74,531	279,491 5	74,531	279,491 5
MOUNT ALEXANDER.										
Nov. 4 -	- -	- -	28,441	106,653 15						
„ 11 -	- -	- -	25,691	96,341 5						
„ 18 -	- -	- -	30,782	115,432 10						
„ 25 -	- -	- -	25,284	94,815 0						
Dec. 2 -	- -	- -	31,263	117,236 5						
„ 9 -	- -	- -	23,896	89,610 0						
„ 16 -	- -	- -	24,358	91,342 10						
„ 23 -	- -	- -	19,514	73,177 10						
„ 30 -	- -	- -	20,402	76,507 10						
	- -	- -	229,631	861,116 5	- -	- -	- -	- -	229,631	861,116 5
M'IVOR.										
Nov. 4 -	-	- -	2,910	10,912 10						
„ 11 -	- -	- -	1,782	6,682 10						
„ 18 -	- -	- -	2,040	7,650 0						
„ 25 -	- -	- -	2,290	8,587 10						
Dec. 2 -	- -	- -	1,949	7,308 15						
„ 9 -	- -	- -	1,486	5,572 10						
„ 16 -	- -	- -	1,496	5,610 0						
„ 23 -	- -	- -	725	2,718 15						
„ 29 -	- -	- -	767	2,876 5						
	- -	- -	15,445	57,918 15	- -	- -	- -	- -	15,445	57,918 15
THE OVENS.										
Nov. 11 -	- -	- -	3,233	12,123 15						
„ 25 -	- -	- -	4,194	15,727 10						
Dec. 9 -	-	- -	4,954	18,577 10						
„ 23 -	- -	- -	5,498	20,617 10						
	- -	- -	17,879	67,046 5	- -	- -	- -	- -	17,879	67,046 5
									337,486	1,265,572 10

* At 3*l.* 15*s.* per ounce.

Colonial Treasury, Melbourne,
January 5, 1854.

W. LONSDALE,
Colonial Treasurer.

No. 3.

RETURN of the AMOUNT of FEES for LICENCES issued at the various WORKINGS from the 1st November to the 31st December 1853.

—	Where issued.	Cash.	Total.
		£ s. d.	£ s. d.
November -	Ballarat, Mount Alexander, &c. -	33,070 0 0	33,070 0 0
December -	Do. do. - -	83,722 15 11	83,722 15 11
			116,792 15 11

Colonial Treasury, Melbourne,
January 5, 1854.

W. LONSDALE,
Colonial Treasurer.

No. 4.

RETURN of the AMOUNT of ESCORT FEES paid on private GOLD received at the various WORKINGS from the 1st November to 31st December 1853.

—	From whence.	Amount.
		£ s. d.
November -	Ballarat, Mount Alexander, &c. - - -	5,689 2 8
December -	Do. do. - - - - -	5,145 14 5
		10,834 17 1

Colonial Treasury, Melbourne,
January 5, 1854.

W. LONSDALE,
Colonial Treasurer.

No. 5.

RETURN of SALES by TENDER of GOVERNMENT GOLD from the 1st November to the 31st December 1853.

Nil.

Colonial Treasury, Melbourne,
January 5, 1854.

W. LONSDALE,
Colonial Treasurer.

No. 6.

RETURN of the AMOUNT of FEES charged on GOLD and CASH deposited in the TREASURY beyond One Month from the 1st November to the 31st December 1853.

—	No. of Parcels.	Weight.	Cash.	Office Fees.
		ozs. dwts. grs.		£ s. d.
November - -	781	24,221 0 0	- - -	945 19 5
December - -	704	19,024 0 0	- - -	916 15 7
	1,485	43,245 0 0		1,862 15 0

RETURN of the AMOUNT of FEES received at the Treasury for Gold deposited at the Sub-Treasury, Geelong.

November - - - -	£35 19 1
December - - - -	28 0 11
	£64 0 0

Colonial Treasury, Melbourne,
January 5, 1854.

W. LONSDALE,
Colonial Treasurer.

VICTORIA

No. 7.

RETURN of the AMOUNT of GOLD exported from this COLONY during the Months of November and December 1853.

Port of Shipment.	November.			December.			Total.		
	Ozs.	dwts.	grs.	Ozs.	dwts.	grs.	Ozs.	dwts.	grs.
Melbourne - - -	156,021	3	8	318,864	6	4	474,885	9	12
Geelong - - - - -	-	-	-	16,100	0	0	16,100	0	0
	156,021	3		334,964	6	4	490,985	9	12

	Ozs.	dwts.	grs.	Ozs.	dwts.	grs.
NOTE.—Exported by sea as above, in November - -	156,021	3	8			
Do. overland per New South Wales escort -	8,125	15	0			
Do. do. per South Australian escort -	6,058	10	0			
				170,205	8	8
Do. by sea as above, in December - -	334,964	6	4			
Do. overland per New South Wales escort -	12,297	15	0			
Do. do. per South Australian escort -	3,696	15	0			
				350,958	16	4
Total -				521,164	4	12

HUGH E. CHILDERS,
Collector of Customs.

No. 8.

MONTHLY RETURN of GOLD received on private Account, November 1853.

	Ozs.	dwts.
Balance on hand 31st October 1853 -	86,609	6
Received from Mount Alexander - -	110,198	6
„ Ballarat - - - -	13,649	0
„ Ovens - - - -	7,427	0
„ M'Ivor - - - -	9,022	0
	226,905	12
Delivered to the public -	156,122	15
	70,782	17
Sent to Geelong - -	1,448	9
Balance - -	69,334	8

W. H. COPE,
Gold Receiver.

MONTHLY RETURN of GOLD received on private Account, December 1853.

	Ozs.	dwts.
Balance on hand 30th November 1853 -	69,334	8
Received from Mount Alexander - -	119,433	3
„ Ballarat - - -	8,516	17
„ Ovens - - - -	10,452	10
„ M'Ivor - - -	6,423	0
	214,159	18
Delivered to the public -	142,620	15
	71,539	3
Sent to Geelong - -	1,595	18
Balance - -	69,943	5

W. H. COPE,
Gold Receiver.

Nos. 9 and 10.

[Returns of Current Rates of Wages and Prices, being extremely voluminous, are not printed.]

ARRIVALS—NOVEMBER.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	787	191	127	10	453	124	87	18	502	124	56	6	28	4	1	–	1770	443	271	34	1025	657	275	35	390	56	53	9	3,185	1,156	599	78	5,018
Geelong -	26	12	9	2	–	–	–	–	130	31	9	–	–	–	–	–	156	43	18	2	79	234	38	8	66	5	2	–	301	282	58	10	651
Other Ports	11	10	13	–	9	5	3	–	14	5	3	–	–	–	–	–	34	20	19	–	–	–	–	–	–	–	–	–	34	20	19	–	73
Total -	824	213	149	12	462	129	90	18	646	160	68	6	28	4	1	–	1960	506	308	36	1104	891	313	43	456	61	55	9	3,520	1,458	676	88	5,742

DEPARTURES—NOVEMBER.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	963	109	42	2	604	57	58	5	599	146	70	7	101	16	21	2	2,267	328	191	16	143	29	29	1	96	3	–	–	2,506	360	220	17	3,103
Geelong -	23	6	2	1	1	1	–	–	123	33	9	2	2	1	–	–	149	41	11	3	–	–	–	–	–	–	–	–	149	41	11	3	204
Other Ports	1	–	–	–	–	–	–	–	6	2	1	–	–	–	–	–	7	2	1	–	–	–	–	–	–	–	–	–	7	2	1	–	10
Total -	987	115	44	3	605	58	58	5	728	181	80	9	103	17	21	2	2,423	371	203	19	143	29	29	1	96	3	–	–	2,662	403	232	20	3,317

Immigration Office, Melbourne,
December 6, 1853.

EDWARD GRIMES,
Immigration Agent.

RETURN showing the Number of Persons who have arrived in and departed from the Colony of Victoria by Sea, during the Month of December 1853.

ARRIVALS.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total the neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	466	160	75	9	418	144	88	14	402	101	79	11	46	16	26	1	1,332	421	268	35	480	311	148	13	317	42	26	5	2,129	774	442	53	3,398
Geelong -	15	11	8	–	7	1	–	–	189	27	14	–	9	4	8	–	220	43	30	–	65	32	45	3	21	–	–	–	306	75	75	3	459
Other Ports	3	3	–	1	–	–	–	–	14	10	10	–	–	–	–	–	17	13	10	1	–	–	–	–	1	–	–	–	18	13	10	1	42
Total -	484	174	83	10	425	145	88	14	605	138	103	11	55	20	34	1	1,569	477	308	36	545	343	193	16	339	42	26	5	2 453	862	527	57	3,899

DEPARTURES.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total the neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	1,158	122	75	8	796	79	58	6	902	114	64	10	108	31	13	–	2,964	346	210	24	335	108	74	4	67	7	8	–	3,366	461	292	28	4,147
Geelong -	7	2	4	1	5	1	1	1	288	44	15	–	–	–	–	–	300	47	20	2	5	6	3	–	–	–	–	–	305	53	23	2	383
Other Ports	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Total -	1,165	124	79	9	801	80	59	7	1,190	158	79	10	101	31	13	–	3,264	393	230	26	340	114	77	4	67	7	8	–	3,671	514	315	30	4,530

Immigration Office, Melbourne,
January 7, 1854.

By authority. ALFRED J. AGG,
for the Immigration Agent.

No. 12.

[Return of Vessels in Harbous of Melbourne and Geelong.—This voluminous Return is not printed.]

No. 13.

[Return of the Civil, Military, and Police Force, and others employed at and in connexion with the various Gold Fields of the Colony.—This voluminous Return is not printed.]

No. 14.

A Return of the Disposal of 29 Persons for Trial at the Circuit Court, Castlemaine, Colony of Victoria on the 10th December 1853.

Offence.	Convicted.	Acquitted.	Discharged from absence of Witnesses.	Remanded to next Sessions.	Total.
Robbery in company, or being armed	5	4	-	1	10
Stealing in a dwelling-house to the value of 5*l.*	4	2	-	1	7
Stealing from the person	-	-	-	1	1
Horse stealing	2	-	-	-	2
Attempt at do.	1	-	-	-	1
Larceny	2	-	-	-	2
Receiving stolen property	-	-	1	-	1
Abusing a child under ten years of age	1	-	-	-	1
Assault with intent do. do.	-	1	-	-	1
Embezzlement	-	1	-	-	1
Perjury	-	-	-	1	1
Maliciously wounding	1	-	-	-	1
	16	8	1	4	29

Sentences.

Death	1
To 12 years on roads of the colony, two first in irons	1
„ 10 do. do. do. first in irons	1
„ 10 do. do. do.	3
„ 7 do. do. do.	3
„ 5 do. do. do.	4
„ 6 months do. do.	1
„ 3 months imprisonment and hard labour	1
„ 3 do. do.	1
	16

Henry F. Greener,
Crown Solicitor.

No. 15.

Victoria.—Department of Commissioners for the Gold Fields.

Return of the estimated Population on the various Gold Fields of this Colony on the 24th December 1853.

District.	Men.	Women.	Children.	Total.
Castlemaine	15,700	3,600	4,880	24,180
Sandhurst	11,400	5,000	2,800	19,200
Ballarat	15,340	2,072	2,104	19,516
Beechworth	6,810	730	490	8,030
Heathcote	3,550	500	650	4,700
Total	52,800	11,902	10,924	75,626

Office of the Chief Commissioner of Gold Fields,
Melbourne, January 15, 1854.

W. H. Wright,
Chief Commissioner of Gold Fields.

General Summary.

No. 16.

Department of Commissioners for the Gold Fields.

Return of the number of Licenses to dig and search for Gold issued at the various Gold Fields of this Colony during the year 1851.

District.	January.	February.	January and February per bi-monthly return.	March.	April.	March and April per bi-monthly return.	May.	June.	May and June per bi-monthly return.	July.	August.	July and August per bi-monthly return.	September.	October.	September and October per bi-monthly return.	November.	December.	November and December per bi-monthly return.	Total.
Mount Alexander	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	221	Nil.	4,678	*7,373	Nil.	12,272
Ballarat	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	†532	2,261	Nil.	1,885	739	Nil.	5,417
Anderson's Creek	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	‡17	Nil.	11	- -	Nil.	28
Broken River	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	§17	Nil.	4	- -	Nil.	21
Total	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	532	2,516	Nil.	6,578	8,112	Nil.	17,738

* Eighteen of which were half Licences issued at 15*s.* each.
‡ These Licences were issued for the half month, viz., 14th to 31st. at 15*s.* each.
† These Licences were issued for the half month, viz., 20th to 30th at 15*s.* each.
§ Five of which were half Licences issued at 15*s.* each.

Recapitulation.

572 Licences issued for the half month at 15*s.* each.
17,166 Do. do. do. 30*s.* „

17,738

W. R. Wright.
Chief Commissioner of Gold Fields.

Office of Chief Commissioner of the Gold Fields,
Melbourne, January 15, 1854.

No. 17.

DEPARTMENT of COMMISSIONERS for the GOLD FIELDS.

RETURN of the Number of Licences to Dig and Search for Gold issued at the various Gold Fields of this Colony during the Year 1852.

District.	January.	February.	January and February, per bi-monthly Return.	March.	April.	March and April per bi-monthly Return.	May.	June.	May and June, per bi-monthly Return.	July.	August.	July and August per bi-monthly Return.	September.	October.	September and October, per bi-monthly Return.	November.	December.	November and December, per bi-monthly Return.	Total.
Ballarat - -	302	323	Nil.	871	839	Nil.	526	734	1261	761	1071	1741	2074	4648	6774	4529	3786	8315	20,464
Mount Alexander	7,488	12,053	Nil.	13,826	19,149	Nil.	24,026	24,143	49,012	24,786	24,196	48,786	28,408	32,624	61,042	29,423	27,864	57,094	267,986
May Day Hills -	- -	- -	- -	- -	- -	- -	5	12	Nil.	- -	12	Nil.	69	349	Nil.	1625	4012	5635	6084
Total - -	7,790	12,376	- -	14,697	19,988	- -	24,557	24,889	50,273	25,547	25,279	50.527	30,551	37,621	67,816	35,577	35,662	71,044	294,534

RECAPITULATION.

294,534 Licences issued for the whole month at 30*s.* each.

Office of Chief Commissioner of the Gold Fields,
Melbourne, 15th January, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

VICTORIA.

Department of Commissioners for the Gold Fields.

Return of the Number of Licences to dig and search for Gold issued at the various Gold Fields of this Colony during the year 1853.

District.	January.	February.	January and February per Bi-monthly Return.	March.	April.	March and April per Bi-monthly Return.	May.	June.	May and June per Bi-monthly Return.	July.	August.	July and August per Bi-monthly Return.	September.			October.			September and October, per Bi-monthly Return.			November.			December.			November and December, per Bi-monthly Return.			
													at 40s.	at 30s.	at 10s.	at 40s.	at 30s.	at 10s.	at 40s.	at 30s.	at 10s.	at 40s.	at 30s.	at 10s.	at 20s.	at 30s.	at 40s.	at 40s.	at 30s.	at 10s.	at 20s.
Castlemaine -	23,305	13,2[illegible]3	62,718	13,341	9,505	22,084	11,531	9,416	20,441	7,650	10,058	17,707	3,294	2,423	4,122	3,935	600	1,419	7,228	3,019	5,542	–	624	15	2,935	–	10,843	10,843	624	15	2,935
Sandhurst -	16,490	9,970		16,600	19,646	36,562	20,486	16,819	37,305	14,991	14,482	29,473	9,577	2,569	1,959	5,996	218	1,254	15,573	2,787	3,213	–	240	7	1,392	–	8,022	8,022	240	7	1,392
Ballarat -	6,093	5,557	11,704	6,698	5,075	11,773	6,184	6,563	12,747	4,676	6,284	10,960	1,360	3,023	3,010	2,385	244	2,506	3,745	3,267	5,516	1	330	14	705	–	5,922	5,923	330	14	705
Beechworth	9,995	3,614	13,609	3,413	1,820	5,233	2,097	1,888	3,985	2,319	2,905	5,224	400	2,381	852	1,611	86	1,680	2,084	2,467	2,459	3	251	21	529	1	2,854	2,857	252	21	529
Heathcote -	–	–	–	–	–	–	3,488	7,886	11,374	4,960	2,365	7,131	456	708	–	1,081	143	483	1,537	851	483	–	56	–	294	–	877	877	56	–	294
Total -	55,794	32,424	88,031	40,052	36,046	75,652	43,786	42,572	85,852	34,596	36,094	70,495	15,087	11,104	9,943	15,008	1,291	7,342	30,167	12,391	17,213	4	1,501	57	5,855	1	28,518	28,522	1,502	57	5,855

TOTAL.

Castlemaine - - -	122,734
Sandhurst - - - -	157,408
Ballarat - - - -	61,020
Beechworth - - -	36,167
Heathcote - - -	22,314
Total - -	*399,643

RECAPITULATION.

317,829	Licences issued for the whole Month at 30s. each.	
75,959	do.	three Months at 40s. „
5,855	do.	one Month at 20s. „
399,643		

* Licences issued at the additional rate of 10s. on the original 30s. Licence become merged in this column with those issued at 40s., to which Class they belong.

Note.—Licences at 10s.—Persons having taken out Licences for one month during the period between the 24th August and 30th November, were allowed Licences for the whole of that period on payment of an additional 10s.

Office of Chief Commissioner of the Gold Fields,
Melbourne, January 15, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

DEPARTMENT of COMMISSIONERS for the GOLD FIELDS.

RETURN of the number of Licences to dig and search for Gold issued at the various Gold Fields of this Colony during the years 1851, 1852, and 1853.

	1851			1852		1853				1851 1852 and 1853.				
	30*s.*	15*s.*	TOTAL.	30*s.*	TOTAL.	20*s.*	30*s.*	40*s.*	TOTAL.	15*s.*	20*s.*	30*s.*	40*s.*	GRAND TOTAL.
						RECAPITULATION.								
Castlemaine	12,254	18	12,272	267,986	267,986	2,935	96,171	23,628	122,734	18	4,327	505,612	50,443	560,400
Sandhurst	—	—	—	—	—	1,392	129,201	26,815	157,408					
Ballarat	4,885	532	5,417	20,464	20,464	705	45,117	15,198	61,020	532	705	70,466	15,198	86,901
Andersons Creek	11	17	28	—	—	—	—	—	—	17	—	11	—	28
Broken River	16	5	21	—	—	—	—	—	—	5	—	16	—	21
Beechworth	—	—	—	6,084	6,084	529	28,217	7,421	36,167	—	529	34,301	7,421	42,251
Heathcote	—	—	—	—	—	294	19,123	2,897	22,314	—	294	19,123	2,897	22,314
Total	17,166	572	17,738	294,534	294,534	5,855	317,829	75,959	399,643	572	5,855	629,529	75,959	711,915

NOTE.—It will be found on examination that there is a difference between the number of Licences issued as stated in the monthly and bi-monthly Returns; this had been caused by the incompleteness of those received from the various Gold Fields at the time they were required for despatch to England.

Office of Chief Commissioner of Gold Fields,
Melbourne, 15th January, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

VICTORIA.

No. 17.

RETURN of the Gold exported from this Colony during the Periods between, as under:—

	Ounces.	dwt.	grs.
1st October and 31st December 1851 - - - -	145,138	14	16
1st January and 31st December 1852 - - - -	1,974,975	15	1
1st do. do. do. 1853 - - - -	2,497,723	15	16
	4,617,828	5	9
Overland as noted below - -	423,516	9	0
Total - - - -	5,041,344	14	9

RICHARD DOWN,
Pro Collector.

ustom House
Melbourne, 31st December, 1853.

NOTE.—In addition to the above the following has been exported overland:—

Per South Australian Escort to Adelaide - -	1851	Nil.			
" " "	1852	230,074	10		
" " "	1853	109,093	5		
				Ozs. 339,157	15 0
Per New South Wales Escort to Sydney - -	1851	Nil			
" " "	1852	"			
" " "	1853	84,348	14		
				" 84,348	14 0
Total overland -				Ozs. 423,516	9 0

No. 18.

MONTHLY RETURN of all GOLD and CASH received and delivered at the GOLD OFFICE, fromthe 1st January to 31st December 1853.

1853.	Gold received, as per Gold Commissioner's Schedule.	Cash received, as per Gold Commissioner's Schedule.	Gold.		Cash.		Escort Fee.	Office Fee.
			Delivered.	Sent to Geelong.	Delivered.	Sent to Geelong.		
	Ozs. Dwts.	£ *s.* *d.*	*Ozs. Dwts.*	*Ozs. Dwts.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
January - -	99,172 10	21,432 2 4	88,537 18	894 5	16,404 12 1	345 0 0	3,544 3 3	591 3 6
February -	92,241 4	24,112 1 6	96,917 2	820 6	23,124 6 1	100 0 0	3,574 8 9	457 4 11
March - - -	94,915 10	23,172 14 5	96,767 11	871 0	22,793 2 0	621 4 9	3,570 12 9	458 18 6
April - - -	94,924 16	32,098 2 3	98,501 15	588 5	32,355 1 3	260 0 0	3,312 15 0	385 17 5
May - - -	119,974 15	30,571 12 3	110,824 18	838 3	23,758 1 9	170 0 0	3,330 2 6	287 9 8
June - - -	109,067 14	33,540 14 1	100,267 7	1,067 17	34,194 4 4	170 0 0	3,084 1 0	264 10 7
July - - -	97,420 19	25,169 9 6	95,317 14	1,686 6	23,803 3 6	191 0 0	2,810 18 9	399 11 1
August - -	168,435 7	36,912 17 0	150,021 11	1,147 19	36,073 6 3	586 0 0	4,362 3 3	603 1 1
September - -	200,665 15	56,680 12 1	170,531 17	2,233 8	46,511 16 9	495 0 0	4,986 16 0	918 0 1
October - -	129,487 1	41,389 5 4	152,156 4	325 5	46,546 14 2	216 10 0	4,574 7 9	752 7 2
November - -	140,296 6	41,054 18 11	156,122 15	1,448 9	47,040 16 5	685 0 0	4,533 7 9	945 19 5
December - -	144,825 10	31,267 14 4	142,620 15	1,595 18	31,156 13 10	120 0 0	4,133 15 9	916 15 7
	1,491,436 7	397,402 4 0	1,458,587 7	13,517 1	383,761 18 5	3,959 14 9	45,817 12 6	6,980 19 0

SUMMARY.

Total received.		Total delivered.		Balance in hand.	
	ozs. dwts. grs.		*ozs. dwts. grs.*		*ozs. dwts. grs.*
Gold - -	1,491,436 7 0	Gold - -	1,472,104 8 0	Gold - -	69,943 5 0
	£ *s.* *d.*		£ *s.* *d.*		£ *s.* *d.*
Cash - -	397,402 4 0	Cash - -	387,721 13 2	Cash - -	15,801 10 8

Balance on hand,
31st December 1853.

W. H. COPE,
Gold Receiver.

VICTORIA.

No. 19.

COMPARATIVE Statement of GOLD and CASH received at the Treasury, and Value o Parcels sent per Escort, from the Opening of the Gold Office to the 31st December 1853 inclusive.

From the 23rd December 1851 to the 31st December 1852.

	£	s.	d.	£	s.	d.
Gold, oz. 1,184,599, at 77*s.* 6*d.* per oz. - - -	4,590,321	2	6			
Cash - - - - - - -	64,203	18	1			
—— Parcels, 12,000*l.* per week - - - -	624,000	0	0			
				5,278,525	0	7

From the 1st January to the 31st December 1853.

	£	s.	d.	£	s.	d.
Gold—Oz. 1,491,436, at 77*s.* 6*d.* per oz. - -	5,779,314	10	0			
Cash - - - - - - -	397,411	4	0			
—— Parcels, 30,000*l.* per week - - - -	1,560,000	0	0			
				7,736,725	14	0
Total - - - - - - -				£13,015,250	14	7

W. H. COPE,
Gold Receiver.

No. 20.

PORT of MELBOURNE.

RETURN of Tonnage of Vessels, exclusive of Coasters, in this Port, during the undermentioned Periods.

	Tons.
From 1st October to 31st December, 1851 - - -	32,966
Year ending 31st December, 1852 - - - - -	357,006
Year ending 31st December, 1853 - - - -	621,254
Total - - -	1,011,226

Custom House, Melbourne,
31st December 1853.

RICHARD DOWN,
Pro Collector.

PORT of GEELONG.

RETURN of Tonnage of Vessels, exclusive of Coasters, in this Port, during the undermentioned Periods.

	Tons.
Quarter ending 31st December, 1851 - - - -	7,559
Year ending 31st December, 1852 - - - - - -	35,454
Year ending 31st December, 1853 - - - - -	43,996
	9,009

Custom House, Geelong,
3rd January 1854.

(Signed) J. GUTHRIE,
Collector.

No. 21.

DEPARTMENT of COMMISSIONERS for the GOLD FIELDS.

RETURN of the Population of the various Gold Fields for the year 1851.

District.	July.				August.				September.				October.				November.				December.			
	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.
Ballarat	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	1,363	- -	- -	- -	300
Mount Alexander	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	12,000	- -	- -	- -	20,000
Anderson's Creek	- -	- -	- -	- -	- -	- -	- -	- -	29	- -	- -	29	8	- -	- -	8	- -	- -	- -	300	- -	- -	- -	- -
Total	- -	- -	- -	- -	- -	- -	- -	- -	29	- -	- -	29	8	- -	- -	8	- -	- -	- -	13,663	- -	- -	- -	20,300

Office of Chief Commissioner of the Gold Fields,
Melbourne, January 15, 1854.

W. H. WRIGHT.
Chief Commissioner of Gold Fields.

No. 21.

DEPARTMENT of COMMISSIONERS for the GOLD FIELDS.

RETURN of the Population of the various Gold Fields for the Year 1852.

District.	January.				February.				March.				April.				May.				June.			
	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.
Mount Alexander -	19,000	3,153	2,850	25,000	23,000	3,700	3,300	30,000	23,000	3,700	3,300	30,000	25,600	5,000	4,400	35,000	27,100	5,300	4,600	37,000	29,300	5,700	5,000	40,000
Ballarat -	180	25	50	255	472	52	85	609	540	63	97	700	834	143	282	1,259	450	85	140	675	740	120	200	1,060
Total - -	19,180	3,175	2,900	25,255	23,472	3,752	3,385	30,609	23,540	3,763	3,397	30,700	26,434	5,143	4,682	36,259	27,550	5,385	4,740	37,675	30,040	5,820	5,200	41,060

District.	July.				August.				September.				October.				November.				December.			
	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Tota	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.
Mount Alexander -	22,000	4,300	3,700	30,000	25,600	5,000	4,400	35,000	29,300	5,700	5,000	40,000	35,000	7,000	6,000	48,000	29,300	5,700	5,000	40,000	23,400	4,600	4,000	32,000
Ballarat - - -	770	125	200	1,095	1,500	200	320	2,020	2,100	230	370	2,700	4,600	400	500	5,500	4,500	250	350	5,100	5.000	600	800	6,400
May Day Hills -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	2,700	250	50	3,000	5,400	500	100	6,000
Total - -	22,770	4,425	3,900	31,095	27,100	5,200	4,720	37,020	31,400	5,930	5,370	42,700	39,600	7,400	6,500	53,500	36,500	6,200	5,400	48,100	33,800	5,700	4,900	44,400

Office of Chief Commissioner of the Gold Fields,
Melbourne, January 15, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 21.

DEPARTMENT of COMMISSIONERS for the GOLD FIELDS.

RETURN of the Population of the various Gold Fields for the year 1853.

District.	January.				February.				March.				April.				May.				June.			
	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.
Castlemaine -	19,000	3,700	3,300	26,000	18,500	3,500	3,000	25,000	15,500	3,000	2,500	21,000	15,500	3,000	2,550	21,050	14,300	2,800	2,500	19,600	12,150	2,450	2,050	16,600
Sandhurst -	15,000	1,500	500	17,000	15,000	1,500	500	17,000	19,400	4,000	2,000	25,400	20,000	7,000	3,000	30,000	20,000	7,000	3,000	30,000	23,000	4,500	2,500	30,000
Ballarat - -	5,900	900	850	7,650	7,400	1,250	1,150	9,800	8,900	1,600	1,600	12,100	7,600	1,500	1,550	10,650	6,500	1,400	1,500	9,400	6,900	1,400	1,550	9,850
Beechworth -	9,000	2,000	1,000	12,000	5,000	800	200	6,000	4,000	800	200	5,000	3,000	200	100	3,300	2,400	300	100	2,800	2,400	300	100	2,800
Heathcote -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	7,000	700	300	8,000	17,000	700	300	18,000
Total -	48,900	8,100	5,650	62,650	45,900	7,050	4,850	57,800	47,800	9,400	6,300	63,500	46,100	11,700	7,200	65,000	50,200	12,200	7,400	69,800	61,450	9,300	6,500	77,250

District.	July.				August.				September.				October.				November.				December.			
	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.
Castlemaine -	13,200	2,250	2,209	17,659	14,100	2,630	2,410	19,140	10,360	2,990	1,914	15,264	16,63[illegible]	3,900	3,350	23,880	18,980	4,495	3,715	27,190	15,700	3,600	4,880	24,180
Sandhurst -	27,000	2,000	1,000	30,000	17,900	5,100	6,300	29,300	17,900	4,800	4,300	27,000	17,900	5,000	4,700	27,600	20,500	5,600	5,000	31,100	11,400	5,000	2,800	19,200
Ballarat - -	6,900	1,700	1,350	9,950	6,950	1,725	1,965	10,640	7,050	1,650	1,650	10,350	8,200	3,150	3,100	14,450	10,550	2,400	3,200	16,150	15,340	2,070	2,104	19,516
Beechworth -	2,600	300	100	3,000	2,700	385	215	3,300	3,630	480	290	4,400	4,480	520	300	5,300	5,550	640	490	6,680	6,810	730	490	8,030
Heathcote -	8,000	3,000	1,000	12,000	4,500	850	650	6,000	4,900	1,050	850	6,800	6,500	1,600	900	9,000	5,650	725	825	7,200	3,550	500	650	4,700
Total -	57,700	9,250	5,659	72,609	46,150	10,690	11,540	68,380	43,840	10,970	9,004	63,814	53,710	14,170	12,350	80,230	61,230	13,860	13,230	88,320	52,800	11,902	10,924	75,626

Office of Chief Commissioner of the Gold Fields,
Melbourne, 15th January 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 22.

RETURN showing the Number of Persons who Arrived and Departed from the Colony of Victoria by Sea, during the Months of October, November and December, 1851.

ARRIVALS.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	New South Wales. Adults. Female.	New South Wales. Children. Male.	New South Wales. Children. Female.	South and Western Australia. Adults. Male.	South and Western Australia. Adults. Female.	South and Western Australia. Children. Male.	South and Western Australia. Children. Female.	Van Diemen's Land. Adults. Male.	Van Diemen's Land. Adults. Female.	Van Diemen's Land. Children. Male.	Van Diemen's Land. Children. Female.	New Zealand and South Seas. Adults. Male.	New Zealand and South Seas. Adults. Female.	New Zealand and South Seas. Children. Male.	New Zealand and South Seas. Children. Female.	Total from the neighbouring Colonies. Adults. Male.	Total from the neighbouring Colonies. Adults. Female.	Total from the neighbouring Colonies. Children. Male.	Total from the neighbouring Colonies. Children. Female.	The United Kingdom. Adults. Male.	The United Kingdom. Adults. Female.	The United Kingdom. Children. Male.	The United Kingdom. Children. Female.	Foreign Ports. Adults. Male.	Foreign Ports. Adults. Female.	Foreign Ports. Children. Male.	Foreign Ports. Children. Female.	General Total. Adults. Male.	General Total. Adults. Female.	General Total. Children. Male.	General Total. Children. Female.	Total Souls.
Melbourne	495	61	22	15	1657	97	42	28	1,978	121	35	18	2	1	–	–	4,132	280	99	61	827	628	188	165	23	2	1	–	4,982	910	288	226	6,406
Geelong -	43	3	1	–	347	40	15	13	455	37	17	14	–	–	–	–	845	80	33	27	–	–	–	–	2	–	–	–	847	80	33	27	987
Other Ports	7	8	–	–	1	–	–	–	71	16	4	4	–	–	–	–	79	24	4		88	76	27	25	–	–	–	–	167	100	31	29	327
Total -	545	72	23	15	2005	137	57	41	2,504	174	56	36	2	1	–	–	5,056	384		92	915	704	215	190	25	2	1	–	5,996	5,996	252	282	7,720

DEPARTURES.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	New South Wales. Adults. Female.	New South Wales. Children. Male.	New South Wales. Children. Female.	South and Western Australia. Adults. Male.	South and Western Australia. Adults. Female.	South and Western Australia. Children. Male.	South and Western Australia. Children. Female.	Van Diemen's Land. Adults. Male.	Van Diemen's Land. Adults. Female.	Van Diemen's Land. Children. Male.	Van Diemen's Land. Children. Female.	New Zealand and South Seas. Adults. Male.	New Zealand and South Seas. Adults. Female.	New Zealand and South Seas. Children. Male.	New Zealand and South Seas. Children. Female.	Total to the neighbouring Colonies. Adults. Male.	Total to the neighbouring Colonies. Adults. Female.	Total to the neighbouring Colonies. Children. Male.	Total to the neighbouring Colonies. Children. Female.	The United Kingdom. Adults. Male.	The United Kingdom. Adults. Female.	The United Kingdom. Children. Male.	The United Kingdom. Children. Female.	Foreign Ports. Adults. Male.	Foreign Ports. Adults. Female.	Foreign Ports. Children. Male.	Foreign Ports. Children. Female.	Grand Total. Adults. Male.	Grand Total. Adults. Female.	Grand Total. Children. Male.	Grand Total. Children. Female.	Total Souls.
Melbourne	38	21	–	3	156	3	2	3	402	33	5	9	–	–	–	–	596	57	7	15	2	3	–	2	3	4	1	2	601	64	8	19	692
Geelong -	3	1	2	2	1	–	–	–	57	28	6	13	–	–	–	–	61	29	8	15	–	–	–	–	1	–	–	–	62	29	8	15	114
Other Ports.	–	–	–	–	–	–	–	–	6	2	–	–	–	–	–	–	6	2	–	–	–	–	–	–	–	–	–	–	6	2	–	–	8
Total -	41	22	2	5	157	3	2	3	465	63	11	22	–	–	–	–	663	88	15	30	2	3	–	2	4	4	1	2	669	95	16	34	814

Immigration Office,
Melbourne, 27th January, 1854.

By authority, ALFRED J. AGG,
for Immigration Agent.

RETURN showing the Number of Persons who have arrived in and departed from the Colony Victoria by Sea, during the Year 1852.

ARRIVALS.

Port of Departure.	New South Wales.				South and Western Australia.				Van Diemen's Land.				New Zealand and South Seas.				Total from the neighbouring Colonies.				The United Kingdom.				Foreign Ports.				General Total.				Total Souls.
	Adults.		Children.		Adults.		Children.		Adults.		Children.		Adults.		Children.		Adults.		Children.		Adults.		Children.		Adults		Children.		Adults.		Children.		
	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male,	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	
Melbourne -	11,657	1,002	373	196	12,300	1,576	554	341	15,994	1,290	670	240	822	52	23	18	40,773	3,920	1620	795	22,290	7,637	3,857	3,370	1394	148	63	43	64,457	11,705	5,540	4,208	85,910
Geelong -	412	29	13	12	33	11	3	2	335	43	26	16	–	–	–	–	780	83	42	30	1,709	1,864	916	778	–	–	–	–	2,489	1,947	958	808	6,202
Other Ports	62	20	6	5	18	10	–	–	80	6	2	1	–	–	–	–	160	36	8	6	807	729	453	353	–	–	–	–	967	765	461	359	2,552
Total - -	12,131	1,051	392	213	12,351	1,597	557	343	16,409	1,339	698	257	822	52	23	18	41,713	4,039	1670	831	24,806	10,230	5,226	4,501	1394	148	63	43	67,913	14,417	6,959	5,375	94,664

DEPARTURES.

Port of Arrival.	New South Wales.				South and Western Australia.				Van Diemen's Land.				New Zealand and South Seas.				Total to the neighbouring Colonies.				The United Kingdom.				Foreign Ports.				General Total.				Total Souls.
	Adults.		Children.		Adults.		Children.		Adults.		Children.		Adults.		Children.		Adults.		Children.		Adults.		Children.		Adults.		Children.		Adults.		Children.		
	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	
Melbourne -	7,466	704	222	127	10,214	410	201	88	9,288	735	282	113	71	6	6	4	27,039	1,855	711	332	607	130	55	43	32	2	–	3	27,678	1,987	766	378	30,809
Geelong -	20	6	–	–	–	–	–	–	121	23	6	5	–	–	–	–	141	29	6	5	–	–	–	–	–	–	–	–	141	29	6	5	181
Other Ports	16	7	5	3	–	–	–	–	7	5	–	–	–	–	–	–	23	12	5	3	1	3	–	1	–	–	–	–	24	15	5	4	48
Total -	7,502	717	227	130	10,214	410	201	88	9,416	763	288	118	7	6	6	4	27,203	1,896	722	340	608	133	55	44	32	2	–	3	27,843	2,031	777	387	31,038

Immigration Office, Melbourne,
January 17, 1854.

By authority. ALFRED J. AGG,
for Immigration Agent.

RETURN showing the Number of Persons who arrived in and departed from the Colony of Victoria by Sea, during the Year 1853.

ARRIVALS.

Port of Arrival.	Place of Departure. New South Wales. Adults. Male.	New South Wales. Adults. Female.	New South Wales. Children. Male.	New South Wales. Children. Female.	South and Western Australia. Adults. Male.	South and Western Australia. Adults. Female.	South and Western Australia. Children. Male.	South and Western Australia. Children. Female.	Van Diemen's Land. Adults. Male.	Van Diemen's Land. Adults. Female.	Van Diemen's Land. Children. Male.	Van Diemen's Land. Children. Female.	New Zealand and South Seas. Adults. Male.	New Zealand and South Seas. Adults. Female.	New Zealand and South Seas. Children. Male.	New Zealand and South Seas. Children. Female.	Total from neighbouring Colonies. Adults. Male.	Total from neighbouring Colonies. Adults. Female.	Total from neighbouring Colonies. Children. Male.	Total from neighbouring Colonies. Children. Female.	The United Kingdom. Adults. Male.	The United Kingdom. Adults. Female.	The United Kingdom. Children. Male.	The United Kingdom. Children. Female.	Foreign Ports. Adults. Male.	Foreign Ports. Adults. Female.	Foreign Ports. Children. Male.	Foreign Ports. Children. Female.	General Total. Adults. Male.	General Total. Adults. Female.	General Total. Children. Male.	General Total. Children. Female.	Total Souls.
Melbourne -	9,261	1,361	475	324	8,051	1,635	873	535	8,036	1,386	514	391	482	89	76	60	25,830	4,471	1,938	1,310	21,512	11,210	5,451	3,154	7,244	749	322	294	54.586	16,430	7,711	4,758	83,485
Geelong -	452	108	65	46	9	1	–	–	865	171	70	60	69	16	17	14	1,395	296	152	120	1,354	1,915	1,078	281	192	31	27	8	2,941	2,242	1,257	409	6,849
Other Ports	51	27	12	16	21	10	1	2	121	37	13	11	–	–	–	–	193	74	26	29	488	633	464	70	1	–	–	–	682	707	490	99	1,978
Total -	9,764	1,496	552	386	8,081	1,646	874	537	9,022	1,594	597	462	551	105	93	74	27,418	4,841	2,116	1,459	23,354	13,758	6,993	3,505	7,437	780	349	302	58,209	19,379	9,458	5,266	92,312

DEPARTURES.

Port of Departure.	Place of Destination. New South Wales. Adults. Male.	New South Wales. Adults. Female.	New South Wales. Children. Male.	New South Wales. Children. Female.	South and Western Australia. Adults. Male.	South and Western Australia. Adults. Female.	South and Western Australia. Children. Male.	South and Western Australia. Children. Female.	Van Diemen's Land. Adults. Male.	Van Diemen's Land. Adults. Female.	Van Diemen's Land. Children. Male.	Van Diemen's Land. Children. Female.	New Zealand and South Seas. Adults. Male.	New Zealand and South Seas. Adults. Female.	New Zealand and South Seas. Children. Male.	New Zealand and South Seas. Children. Female.	Total to neighbouring Colonies. Adults. Male.	Total to neighbouring Colonies. Adults. Female.	Total to neighbouring Colonies. Children. Male.	Total to neighbouring Colonies. Children. Female.	The United Kingdom. Adults. Male.	The United Kingdom. Adults. Female.	The United Kingdom. Children. Male.	The United Kingdom. Children. Female.	Foreign Ports. Adults. Male.	Foreign Ports. Adults. Female.	Foreign Ports. Children. Male.	Foreign Ports. Children. Female.	General Total. Adults. Male.	General Total. Adults. Female.	General Total. Children. Male.	General Total. Children. Female.	Total Souls.
Melbourne -	11,681	1,429	536	404	8,949	782	429	185	9,258	1,335	535	325	916	153	78	69	30,804	3,699	1,578	983	2,135	597	321	214	597	57	23	13	33,536	4,353	1,922	1,210	41,021
Geelong -	143	47	28	14	6	2	1	1	684	155	46	38	2	1	–	–	835	205	75	53	59	25	12	5	7	–	–	–	901	230	87	58	1,276
Other Ports	15	14	3	8	–	–	–	–	39	27	9	8	–	–	–	–	54	41	12	16	19	2	1	1	–	–	–	–	73	43	13	17	146
Total -	11,839	1,490	567	426	8,955	784	430	186	9,981	1,517	590	371	918	154	78	69	31,693	3,945	1,665	1,052	2,213	624	334	220	604	57	23	13	34,510	4,626	2,022	1,285	42,443

Immigration Office, Melbourne,
17th January 1854.

EDWARD GRIMES.
for Immigration Agent.

No. 8.

Copy of a DESPATCH from Lieut-Governor LaTrobe to the Duke of Newcastle.

(No. 28.)

Melbourne, February 7, 1854.
(Received May 15, 1854.)

My Lord Duke,

(Answered No. 25, May 23, 1854, page 176.)

By my Despatch of the 16th January, No. 9., I had the honour of transmitting, for your Grace's satisfaction "A return of persons tried, convicted, acquitted, and discharged by the Supreme Court of this Colony and the Circuit Courts thereof during the year 1853.

2. With the same purpose I now enclose a further "Return," since laid before me, "showing the number and nature of the cases tried and disposed of by the City Police Court of Melbourne during the six months ending December 31, 1853;" and I am happy to believe that similar conclusions as to the diminution of crime may be drawn from it.

I have, &c.
(Signed) C. J. LATROBE.

The Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 8.

Encl. in No. 8.

Sir,

Police Office, Melbourne, January 21, 1854.

I have the honour to forward you two Returns showing the number and nature of the cases tried and disposed of by the City Police Court, during the last six months ending the 31st December 1853.

These Returns may be of some interest to his Excellency as showing the amount of crime during the last quarter of the year 1853, comparative to that of the previous quarter; and I am happy to have to observe, that, notwithstanding a considerable increase to our population, there is a marked diminution not only in indictable offences, but also in drunkenness and other crimes, during the last quarter, a fact demonstrative of improvement in social order, and efficiency in the police, as a detective, and, I trust, a preventive force.

I have, &c.
(Signed) E. P. S. Sturt,
Police Magistrate.

The Honourable
The Colonial Secretary, Melbourne.

Number of Cases disposed of at the City of Melbourne Police Office ;

1853.	Watch-house List.									Cause List.					
	Indictable Offences.		Assaults.	Vagrants.	Drunkards.	Other Offences.	Larceny, 17 Vict. No. 2.	Remands.	Total.	Assaults.	Wages.	Other Offences.	Applications.	Remands.	Total.
	Committed.	Discharged.													
from 1st July to 30th September 1853 ;															
July - -	46	67	35	61	672	256	- -	75	1,212	28	38	235	57	35	393
August -	27	62	32	64	656	276	- -	82	1,199	15	34	201	73	50	373
September -	21	44	17	69	620	291	- -	43	1,105	16	28	180	77	38	339
	94	173	84	194	1,948	823	- -	200	3,516	59	100	616	207	123	1,105
from 1st October to 31st December 1853.															
October -	34	56	26	58	606	243	8	88	1,119	32	38	148	81	29	328
November -	14	39	17	46	529	281	11	74	1,011	26	29	164	69	20	308
December -	15	46	39	34	532	251	4	81	1,002	28	56	130	80	37	331
	63	141	82	138	1,667	775	23	243	3,132	86	123	442	230	86	967

Total from 1st July to 30th September 1853.	Watch-house List -	3,516	
	Cause List - -	1,105	
			4,621
Total from 1st October to 31st December 1853.	Watch-house List -	3,132	
	Cause List - -	967	
			4,099
Total in six months - -			8,720

(Signed) E. P. S. Sturt,
Police Magistrate.

No. 9.

Copy of a DESPATCH from Lieut.-Governor LaTrobe to the Duke of Newcastle.

(No. 34.) Melbourne, March 14, 1854.
My Lord Duke, (Received May 31, 1854.)

(Answered No. 33.—June 5, 1854, Page 176.)

I feel much pleasure in transmitting to your Grace the enclosed copy of a report announcing the completion of the first line of electric telegraph communication established in Her Majesty's Australian colonies, namely, that extending, about ten miles and a half in length, from Melbourne to Gellibrands Point, Williams Town, in Hobson's Bay.

2. Ample provision having been made by the Appropriation Act of this year, measures are now being taken to carry forward a line of similar construction from Gellibrands Point to the Town of Geelong, in the first place, a distance of thirty three miles, and from thence to the Port Phillip Heads, thirty miles beyond.

I have, &c.
(Signed) C. J. LATROBE.

The Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 9. Encl. in No. 9.

Sir, Electric Telegraph Office, Melbourne, March 4, 1854.

In compliance with the request of his Excellency the Lieutenant-Governor, I have the honour to submit the following memoranda relative to the first introduction of the electric telegraph into the colony of Victoria.

The first line of electric telegraph communication in the Australian Colonies was successfully established between Melbourne and Williamstown, colony of Victoria, on Friday the 3d March 1854, on which day the line was opened, and intelligence exchanged by means of the wire, in the presence of his Excellency the Lieutenant-Governor, the Honourable the Colonial Secretary, the Colonial Engineer, &c.

The construction of the line was commenced at the Government Offices, William Street, Melbourne, on the 25th day of November 1853, and was completed to the flagstaff and lighthouse at Williamstown on the 2nd day of February 1854.

The entire length of the line, exclusive of the extension to the Custom House, is ten and one half miles; inclusive of the extension, it is ten miles and two thirds.

The wire (a single one only) is extended and insulated on the tops of strong wooden posts or uprights in a similar manner to the extensive lines traversing the British North American provinces and the United States of America; the same system of carrying on the communication as that used in those lines has also been adopted here, viz., Morse's Recording Telegraph, by means of which a permanent paper record is supplied (from the instrument) of all messages transmitted or received by each office or station, and retained on file at the office so transmitting or receiving the same.

The total cost of the line, including the erection of apparatus, batteries, &c., has amounted to the sum of 2,131*l.* 15*s.*; the posts (in number 330) are composed of the best colonial timber, sound stringy bark, box and red gum being the only woods employed, with the exception of the extension of the line to the Custom House, Melbourne, the posts of which are formed of New Zealand Kaurie pine.

The wire in use is composed of a galvanized iron of the size known as number six (No. 6.), and is so insulated from the supporters or posts that in the event of one, or even two, of the posts being accidentally or maliciously broken or removed (casualities which may be anticipated in this country), the wire and insulator become detached and remain suspended uninjured, so far as the working of the line is concerned.

The lapse of time between the completing and the opening of the line is accounted for by the fact that, the permanent buildings not being in a sufficiently forward state, temporary erections had to provided for the reception of the apparatus and batteries, which was the occasion of the apparent delay.

I have, &c.
(Signed) Samuel W. M'Gowan,
Superintendent, Electric Telegraph.

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No. 10.

Copy of a DESPATCH from Lieut.-Governor LaTrobe to the Duke of Newcastle.

(No. 35.)

Melbourne March 15, 1854.
(Received May 31, 1854.)

My Lord Duke,

I have the honour to transmit herewith by the overland mail the usual returns and reports from the gold districts of Victoria for the months of January and February.

2. It will be satisfactory to your Grace to learn, that the period under review has been marked by the general prevalence of quiet and good order throughout the gold fields of the colony; and that, with the exception of the district of the Buckland River, the mining population have not been affected by any extraordinary amount of sickness. Notwithstanding the unusual dryness of the season, great activity has continued to prevail, particularly within the limits of certain important new fields opened since my last report; and any apparent diminution in the actual yield may be held to be more than compensated for by the immense quantity of auriferous soil and gravel (washing stuff) accumulated in every quarter, in preparation for the approaching change in the season.

3. The quantity of gold stated in the return to have been brought down by Government escort at this season, and under the present circumstances of the colony, is no indication of the actual yield, a very large proportion being brought in by private hands; and notwithstanding the falling off, comparing the export by sea in January and February with that of the present period, I am still disposed to consider that the actual yield may be estimated at from 30,000 to 40,000 ounces per week. It is supposed that, though widely dispersed and very fluctuating with respect to its distribution, the total population of the gold fields remains pretty much the same as latterly stated.

84,000.

4. The opening of rich gold fields on the head waters of the Amazon River in South America has induced a considerable number of the less fortunate adventurers to quit the colony for that quarter of the world. Since the beginning of the year no fewer than 22 vessels have sailed from the port of Melbourne to Callao, with 866 passengers, chiefly Americans; but this reduction has been more than compensated by the immigration of Chinese alone, who to the number of upwards of 1,500 have recently landed—by far the great majority proceeding at once to the gold fields.

* Page .

5. Since my Despatch of December 10, 1853, No. 192,* the new Act for the management of the gold fields (17th Vict., No.) has been brought into fuller operation, and the reports before me lead me to believe that it works well as far as it could yet be enforced, and that its provisions are cheerfully complied with by a large number of the mining population. It will be seen by the Return appended (No. 1) that the great mass of the licensed miners are disposed to take advantage of the three-months' licence—few have been issued for the longer periods.

Return No. 1.

The opposition which was threatened at one time on the part of a few agitators appears to have met with no support, and to have died away. The storekeepers, it is true, on certain of the gold fields, expressed at the outset great dissatisfaction with that portion of the system which affected their interests; and in the instance of those resident on the Ballarat Gold Fields presented to me a memorial on the subject, remonstrating against the measure, and protesting against the payment of what they termed "a tax levied on no other class similarly situated," and which they pronounce to be "unjust in principle, partial in collection, and an unconstitutional burden upon their industry." I append to this Despatch a copy of this document, and also of the reply which I directed the Colonial Secretary to return to it, which assigns the plain reason why I could not meet their wishes, and relieve them from obedience to the law.

Enclosure No. 16.

Ballarat.

6. The reports from Ballarat and the adjoining district for the period under notice, have little to distinguish them from those of previous months. Certain

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new fields had been opened in the month of January, and had attracted at one time 2,000 or 3,000 adventurers. On the older ground many of the pits had been sunk to a depth of from 160 to 170 feet, and proved very remunerative. Other fresh workings, four miles from Ballarat, were opened early in February, and the usual excitement, consequent upon remarkable indications of productiveness, prevailed. Pieces of two and four pounds' weight had been dug up in this quarter.

Bald Hills (Gravel Pits.)

7. The discovery and opening, in the month of January, of the new gold field at Tarrengower near the Loddon River, at a point ten miles due west from Castlemaine, is the circumstance most worthy of note. The indications of the extent and richness of this field, and indeed of the highly auriferous character of the whole intervening country extending from Forest Creek, produced an instantaneous rush of the population on the Mount Alexander workings to the westward. In the third week in January 3,000 people were on the new ground. This number was increased before the close of the month to 9,000 and upwards; and before the close of February 20,000 people were congregated in that quarter. The sudden and unforeseen occupation of this new field has entailed upon the government all the labour and difficulty and expenditure which I have in former Despatches pointed out as being inseparable from such an event; but, at this date, I am led to believe that many of the obstacles which at first presented themselves in the way of the maintenance of good order and strict administration of the law and regulations, have been overcome. A Court of Petty Sessions has been established, and every effort is being made to check and put a stop to the illicit sale of spirits, which is always the great grievance under such circumstances, and the source of almost every crime observable amongst the excited population. The character of this field continues most promising, both as to extent and productiveness. The gold—some pieces being of large size—and the auriferous earth is found at no great depth below the surface; and although the present want of water throughout the field presents an insuperable obstacle to the prompt realization of the fruits of the miners' labours, yet there can be no doubt but that when the rains set in, the produce of the immense quantities of "washing-stuff" brought to the surface will prove richly remunerative.

Castlemaine. Mount Alexander District. Tarrengower (Maldon).

8. The great rush to these new workings has of course drained both the Mount Alexander and the Bendigo districts of much of their surplus population,—in fact, the dryness of the season had already produced a considerable diminution in both quarters; but the population at Bendigo is still reported to be larger than that on any other gold field in the colony. I still adhere to the opinion, that not one of the older gold fields can be held to be exhausted in any quarter—as well as to my belief, that as yet no limit can be assigned to the mineral riches of this colony.

9. There does not appear to be much to report with respect to the small gold fields to the north-west of the Castlemaine and Bendigo districts. They are still worked, and in some instances with considerable success; but the gold is of a larger size, and more widely distributed over a given space than upon the other fields.

Korong, Molyagall, Sandy Creek, Kingower.

10. But little beyond the accumulation of auriferous earth is done at present by the small population at Waranga; and on the M'Ivor workings, the dryness of the season is much against the mines. The population is more than ordinarily a scattered one, and disposed to elude the payment of the mining-license fee.

Waranga. M'Ivor. (Heathcote).

11. These workings were nearly deserted in the month of January, in consequence of the number of persons leaving for the new workings on the Buckland river, the position and occupation of which I mentioned in my last despatch. The fresh field had proved, so far, a productive but an unhealthy one. Dysentery had widely prevailed, in many instances proving fatal; and during the course of last month many of the miners showed a disposition to return to the May Day hills. In fact, before the close of the month a population of five thousand was again reported as having congregated at Beechworth and its neighbourhood. The principal part of the gold raised on the Buckland river appears to be exported overland to New South Wales.

May-day Hills (Beechworth), and Buckland River.

12. There can be no doubt not only that gold is to be found at Omeo, but that the whole of that elevated and almost inaccessible district is highly auriferous. The difficulty, however, of transmitting the supplies requisite to

Omeo.

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maintain a large population, will, for the present, confine the mining operations to the labours of a few.

13. I may be permitted to remark in conclusion, that, as will be seen from the Criminal Returns (Nos. 13 & 15), in addition to Castlemaine, courts of general sessions have been established under the Act of Council, 16 Vict., No. 3, at Sandhurst (Bendigo), and Heathcote (M'Ivor), since the date of my last despatch; and I am satisfied that no measure could be devised better calculated to meet the difficulties of the times. Extensive sales of land, both town and suburban, have also been effected within the limits of the gold fields, much to the advantage of the public, and satisfaction of the more steady residents of those districts. In Melbourne a gold assay office with a complete and efficient staff, for the organization of which, at the special request of the Legislature, provision was made, is now open for the public use, but it would appear questionable whether it will really be attended with the advantages which were at one time confidently looked for.

I am, &c.,
C. J. LATROBE.

Enclosure in No. 10.

GOLD RETURNS, &c., contained in the Lieutenant Governor's Despatch, No. 35, of date 15th March 1854.

January and February.

No. 1.—Return of the number of Licences issued at the Ballarat Castlemaine, Sandhurst, Beechworth, and Heathcote Gold Fields.

No. 2.—Return of Gold transmitted by the Government Escorts from the various workings.

No. 3.—Return of the amount received as Fees for Licences issued.

No. 4.—Return of the amount received as Fees for Escort of Gold.

No. 5.—Return of Sales by tender of Government Gold.

No. 6.—Return of the amount received as Fees for the Custody of Gold and Cash.

No. 7.—Return of Gold exported.

No. 8.—Return of the receipt and delivery of Gold forwarded by the Government Escorts.

No. 8*a*.—Return (statistical) of Gold and Money received at and delivered from the Gold Office 1851, 1852, 1853.

No. 9.—Return of the rates of Wages and Prices current on the Gold Fields.*

No. 10.—Return of the rates of Wages and Prices current in Melbourne.*

No. 11.—Return of the Arrivals and Departures at and from this Colony by Sea.

No. 12.—Return of vessels in harbour on 1st March, 1854, Ports of Melbourne and Geelong.*

No. 13.—Return of Prisoners tried at the Circuit Court, held at Castlemaine, on the 9th February 1854.

No. 14.—Return of the Estimated Population at the various Gold Fields on the 18th February 1854.

No. 15.—Return of Prisoners tried at Sandhurst on 2nd February 1854.

No. 16.—Petition from Storekeepers and Reply.

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* These Voluminous Returns are not printed.

Enclosure 1 in No. 10.

VICTORIA.

Department of Commissioners for the Gold Fields.

RETURN of the Number of Licences to dig and search for Gold issued at the various Gold Fields of this Colony during the months of January and February 1854.

Districts.	January.							February.						
	Miners' Licences.				Storekeepers' Licences.			Miners' Licences.				Storekeepers' Licences.		
	Number of Licences issued for 1 month at £1.	Number of Licences issued for 3 months at £2.	Number of Licences issued for 6 months at £4.	Number of Licences issued for 12 months at £8.	Number of Licences issued for 3 months at £15.	Number of Licences issued for 6 months at £25.	Number of Licences issued for 12 months at £50.	Number of Licences issued for 1 month at £1.	Number of Licences issued for 3 months at £2.	Number of Licences issued for 6 months at £4.	Number of Licences issued for 12 months at £8.	Number of Licences issued for 3 months at £15.	Number of Licences issued for 6 months at £25.	Number of Licences issued for 12 months at £50.
Castlemaine - -	1,460	2,105	Nil.	Nil.	8	3	Nil.	946	1,676	Nil.	Nil.	159	103	Nil.
Sandhurst - -	513	1,423	5	Nil.	Nil.	Nil.	Nil.	257	1,004	1	Nil.	35	26	Nil.
Ballarat - -	47	242	1	Nil.	4	2	Nil.	860	2,586	2	Nil.	124	63	Nil.
Beechworth - -	458	977	Nil.	Nil.	Nil.	Nil.	Nil.	281	285	Nil.	Nil.	31	31	Nil.
Heathcote - -	135	235	Nil.	Nil.	Nil.	Nil.	Nil.	33	41	Nil.	Nil.	Nil.	Nil.	Nil.
Total - -	2,613	4,982	6	Nil.	12	5	Nil.	2,377	5,592	3	Nil.	349	223	Nil.

Number of Licences issued since the 1st December 1853, the date on which the new Act came into operation.

Miners. For 1 Month.	Miners. For 3 Months.	Miners. For 6 Months.	Storekeepers. For 3 Months.	Storekeepers. For 6 Months.
December 5,856	December 28,518	December –	January 12	January 5
January 2,613	January 4,982	January 6	February 349	February 223
February 2,377	February 5,592	February 3		
10,846	39,092	9	361	228

In addition to the Licences issued at the various Gold Fields as shown in the above Return, it appears by the weekly Report of the Chief Commissioner of the Gold Fields up to the 4th instant, that the following Licences have been since taken out :—

Miners. For 1 Month.	Miners. For 3 Months.	Miners. For 6 Months.	Miners. For 12 Months.	Storekeepers. For 3 Months.	Storekeepers. For 6 Months.
672	2,424	6	2	25	27
	672			32	32
	6			—	—
	2			67	69
	3,104 in all.			—	— 136 in all.

	Miners.	Storekeepers.
Grand Total - -	49,947	589

Showing the actual number of Persons holding Licences on the Gold Fields of this Colony on 28th February 1854.

Office of the Chief Commissioner of the Gold Fields,
Melbourne, March 18, 1854.

W. H. WRIGHT,
Chief Commissioner of the Gold Fields.

VICTORIA.

No. 2.

RETURN of all GOLD transmitted by the GOVERNMENT ESCORT from the various Workings, from the 1st January to the 28th February, 1854.

Date.	Government Gold.		Private Gold.				Total.		Grand Total.	
	Quantity.	Money Value at £3 15s. per Ounce	To Melbourne.		To Geelong.					
			Quantity.	Money Value.	Quantity.	Money Value.	Quantity.	Money Value.	Quantity.	Money Value.
BALLARAT.										
			ozs.	£ s.	ozs.	£ s.	ozs.	£ s.	ozs.	£
Jan. 2	- -	- -	- -	- -	5,236	19,635 0	5,236	19,635 0		
„ 9	- -	- -	3,330	12,487 10	5,177	19,413 15	8,507	31,901 5		
„ 16	- -	- -	4,469	16,758 15	5,602	21,007 10	10,071	37,766 5		
„ 23	- -	- -	3,106	11,647 10	8,433	31,623 15	11,539	43,271 5		
„ 30	- -	- -	2,214	8302 10	6,862	25,732 10	9,076	34,035 0		
Feb. 1	- -	- -	3,079	11,546 5	- -	-	3,079	11,546 5		
„ 6	- -	- -	3,214	12,052 10	6,386	23,947 10	9,600	36,000 0		
„ 13	- -	- -	4,936	18,510 0	7,466	27,997 10	12,402	46,507 10		
„ 20	- -	- -	4,839	18,146 5	10,747	40,301 5	15,586	58,447 10		
	- -	- -	29,187	109,451 5	55,909	209,658 15	85,096	319,110 0		
MOUNT ALEXANDER.										
Jan. 6	- -	- -	18,640	69,900 0	- -	- -	- -	- -		
„ 13	- -	- -	15,811	59,291 5	- -	- -	- -	- -		
„ 20	- -	- -	19,644	73,665 0	- -	- -	- -	- -		
„ 27	- -	- -	19,838	74,392 10	- -	- -	- -	- -		
Feb. 3	- -	- -	16,615	62,306 5	- -	- -	- -	- -		
„ 10	- -	- -	18,191	68,216 5	- -	- -	- -	- -		
„ 17	- -	- -	18,504	69,390 0	- -	- -	- -	- -		
„ 24	- -	- -	18,670	70,012 10	- -	- -	- -	- -		
	- -	- -	145,913	547,173 15	- -	- -	- -	- -	258,932	970,995
THE OVENS.										
Jan. 6	- -	- -	4,734	17,752 10	- -	- -	- -	- -		
„ 20	- -	- -	5,053	18,948 15	- -	- -	- -	- -		
Feb. 3	- -	- -	4,709	17,658 15	- -	- -	- -	- -		
„ 17	- -	- -	9,446	35,422 10	- -	- -	- -	- -		
	- -	- -	23,942	89,782 10	- -	- -	- -	- -		
McIVOR.										
Jan. 6	- -	- -	421	1,578 15	- -	- -	- -	- -		
„ 13	- -	- -	451	1,691 5	- -	- -	- -	- -		
„ 20	- -	- -	612	2,295 0	- -	- -	- -	- -		
„ 27	- -	- -	447	1,676 5	- -	- -	- -	- -		
Feb. 3	- -	- -	634	2,377 10	- -	- -	- -	- -		
„ 10	- -	- -	564	2,115 0	- -	- -	- -	- -		
„ 17	- -	- -	282	1,057 10	- -	- -	- -	- -		
„ 24	- -	- -	570	2,137 10	- -	- -	- -	- -		
	- -	- -	3,981	14,928 15	- -	- -	- -	- -		

Colonial Treasury, Melbourne,
2nd March, 1854.

W. LONSDALE, Colonial Treasurer.

No. 3.

RETURN of the AMOUNT of FEES for LICENCES issued at the various WORKINGS, from the 1st January to the 28th February 1854.

——	Where Issued.	Gold.	Money Value.	Cash.	Total Amount.
		ozs.	£ s. d.	£ s. d.	£ s. d.
January -	Ballarat, Mount Alexander, &c.	- -	- - -	32,000 0 0	32,000 0 0
February -	Do. - -	- -	- - -	15,667 3 9	15,667 3 9
		- -	- - -		£47,667 3 9

Colonial Treasury, Melbourne,
2nd March 1854.

W. LONSDALE,
Colonial Treasurer.

No. 4.

RETURN of the AMOUNT of ESCORT FEES paid on private GOLD received at the various WORKINGS from the 1st January to the 28th February 1854.

——	From whence.	Amount.
		£ s. d.
January -	Ballarat, Mount Alexander, &c. - - -	3,112 11 3
February -	Do. - - - - - - - -	5,502 17 5
		£8,615 8 8

Colonial Treasury, Melbourne,
2nd March 1854.

W. LONSDALE,
Colonial Treasurer.

No. 5.

RETURN of SALES by TENDER of GOVERNMENT GOLD, from the 1st January to the 28th February 1854.

Date of Sale.	To whom Sold.	Quantity.	Price per Ounce.	Amount.	Total.
		oz.	£ s. d.	£ s. d.	£ s. d.
January -	Nil - -	——	——	——	Nil.
February -	Nil - -	——	——	——	Nil.
					Nil.

Colonial Treasury, Melbourne,
2nd March 1854.

W. LONSDALE,
Colonial Treasurer.

No. 6.

RETURN of the AMOUNT of FEES charged on GOLD and CASH deposited in the TREASURY upwards of THIRTY DAYS from the 1st January to the 28th February 1854.

——	Number of Parcels.	Weight.	Cash.	Office Fees.
		ozs.	£ s. d.	£ s. d.
January - - - - -	487	14,367	- -	777 16 1
February - - - - -	408	13,493	- -	856 0 3
	895	27,860	- -	1,633 16 4

Colonial Treasury, Melbourne,
2nd March 1854.

W. LONSDALE,
Colonial Treasurer.

VICTORIA.

No. 7.

VICTORIA.

RETURN of the AMOUNT of GOLD exported from the Colony during the month of January and February, 1854.

Port of Shipment.	January.			February.			Total.		
	Ozs.	dwts.	grs.	Ozs.	dwts.	grs.	Ozs.	dwts.	grs.
Melbourne - - - -	177,680	19	23	174,800	8	21	352,481	8	20
Geelong - - - -	250	0	0	31,485	18	0	31,735	18	0
Total -	177,930	19	23	206,286	6	21	384,217	6	20

Note. In addition to the above, the following has been forwarded overland to Sydney :—

January - - -	Ozs. 6,031	15	0			
February - - -	„ 9,371	7	0			
				15,403	2	0
Total -				Ozs. 399,620	8	20

RICHARD DOWN,
Collector of Customs.

Memorandum of the number of vessels that have cleared for Callao from this Port since the beginning of the year ; showing also the number of passengers :—

Number of Vessels - - - 22
Number of Passengers - - - 866 chiefly Americans.

No. 8.

MONTHLY RETURN of GOLD received on private account, January 1854.

	Ozs.	dwts.
Balance on hand, December 31st, 1853 - - - - - -	69,943	5
Received from Mount Alexander - - - - - -	73,933	16
„ Ballarat - - - - - - - -	13,119	15
„ Ovens - - - - - - - -	9,787	10
„ M'Ivor - - - - - - - -	1,931	10
	168,715	16
Delivered to the Public - - - - - - -	124,180	5
	44,535	11
Forwarded to Geelong - - - - - - - -	960	12
Balance - -	43,574	19

W. H. COPE,
Gold Receiver.

No. 8*a*.

MONTHLY RETURN of GOLD received on private account, February 1854.

	Ozs.	dwts.
Balance on hand, January 31st, 1854 - - - - - -	43,574	19
Received from Mount Alexander - - - - - - -	71,980	5
„ Ballarat - - - - - - - -	16,068	10
„ Ovens - - - - - - - -	14,155	10
„ M'Ivor - - - - - - - -	2,050	0
	147,829	4
Delivered to the Public - - - - - - -	111,392	3
	36,437	1
Forwarded to Geelong - - - - - - - -	514	19
	35,922	2

W. H. COPE,
Gold Receiver.

GOLD OFFICE, Statistic Return of Operations from 24th December 1851 to the 31st December 1853.

—	Date.	Number.	Ozs.	—		
				£	s.	d.
Number of parcels and contents received by Escort, at Gold Office, on which a charge is made on delivery. - -	1851	2,193	38,770	548	10	6
	1852	24,550	1,145,829	63,655	7	7
	1853	31,843	1,491,436	397,402	4	0
Total - -	- -	58,586	2,676,035	461,606	2	1
Number of parcels and contents received by Escort previous to opening of Gold Office, and deposited at the Bank -	September October and November 1851	905	65,384			
Grand Total - -	- -	59,491	2,741,419	461,606	2	1

Number of parcels containing money sent per Escort to the Diggings, on which no charge is made - - -	1852 and 1853	Number of parcels - 1,003	Average per week - 21
		„ - 3,816	„ - - 69½
Total - -	- -	4,819	

	£	s.	d.
Value conveyed per Escort :			
Gold at 3*l.* 17*s.* 6*d.* per oz. - - - - -	10,622,998	12	6
Cash - - - - - - -	461,615	2	1
Average value of money parcels sent - - -	3,120,000	0	0
Total -	14,204,613	14	7

Per Escort to the Diggings 30,000*l.* per week.

Losses :—	Ozs.	dwts.	£	s.	d.	
In hands of Gold Commissioner -	23	10	0	0	0	
In transit when in charge of Escort	31	18	0	0	0	Total value of loss.
In the Gold Office - - -	78	0	35	0	0	
Total -	133	8	35	0	0	£552 0 0

Per-centage loss upon the transactions of the Gold Office $\frac{1}{25736}$.

(Signed) W. H. COPE.
Gold Receiver.

Nos. 9 and 10.
[Returns of Current Rates of Wages and Prices being extremely Voluminous, are not printed.]

No. 11.—Return showing the Number of Persons who have arrived in and departed from the Colony of Victoria, by Sea, during the Month of January 1854.

ARRIVALS—JANUARY.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total from neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne	864	208	103	8	515	180	119	15	530	125	75	12	34	9	13	2	1,943	522	310	37	2,376	1,755	811	116	227	30	10	4	4,546	2,307	1,131	157	8,141
Geelong	12	10	6	3	3	–	–	–	222	37	13	5	–	–	–	–	237	47	19	8	70	135	58	5	–	–	–	–	307	182	77	13	579
Other Ports	–	–	–	–	5	3	3	–	12	7	5	1	–	–	–	–	17	10	8	1	118	196	86	18	–	–	–	–	135	206	94	19	454
Total	876	218	109	11	523	183	122	15	764	169	93	18	34	9	13	2	2,197	579	337	46	2,564	2,086	955	139	227	30	10	4	4,988	2,695	1,302	189	9,174

DEPARTURES—JANUARY.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total to neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne	655	69	32	6	442	51	49	4	304	77	30	2	59	26	26	1	1,460	223	137	13	333	81	86	4	498	7	3	–	2,291	311	226	17	2,845
Geelong	6	5	1	–	–	–	–	–	297	54	16	–	–	–	–	–	303	59	17	–	8	2	3	–	2	–	–	–	313	61	20	–	394
Other Ports	7	10	8	2	5	5	1	–	7	1	1	–	–	–	–	–	19	16	10	2	–	–	–	–	–	–	–	–	19	16	10	2	47
Total	668	84	41	8	447	56	50	4	608	132	47	2	59	26	26	1	1,782	298	164	15	341	83	89	4	500	7	3	.	2,623	388	256	19	3,286

Immigration Office, Melbourne,
February 7, 1854.

Samuel Barrow,
Immigration Agent.

ARRIVALS—FEBRUARY.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The Neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	632	139	75	2	478	138	79	6	584	182	67	6	45	12	27	1	1739	431	248	15	775	732	329	53	240	27	34	4	2754	1190	611	72	4,627
Geelong -	12	5	2	–	1	–	–	–	70	15	6	–	–	–	–	–	83	20	8	–	60	161	45	7	69	1	–	–	212	182	53	7	454
Other Ports	–	–	–	–	–	–	–	–	9	4	6	2	–	–	–	–	9	4	6	2	–	–	–	–	–	–	–	–	9	4	6	2	21
Total -	644	144	77	2	479	138	79	6	663	161	79	8	45	12	27	1	1831	455	262	17	835	893	374	60	309	28	34	4	2975	1376	670	81	5,102

DEPARTURES—FEBRUARY.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The Neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	896	149	92	10	374	71	46	6	495	107	48	5	77	18	16	2	1842	345	202	23	261	94	73	9	438	17	8	1	2541	456	283	33	3,313
Geelong -	7	5	5	–	–	–	–	–	10	3	3	1	–	–	–	–	17	8	8	1	7	7	5	3	–	–	–	–	24	15	13	4	56
Other Ports	2	2	–	–	4	2	2	–	1	–	–	–	–	–	–	–	7	4	2	–	8	8	16	–	–	–	–	–	15	12	18	–	45
Total -	905	156	97	10	378	73	48	6	506	110	51	6	77	18	16	2	1866	357	212	24	276	109	94	12	438	17	8	1	2580	483	314	37	3,414

Immigration Office, Melbourne,
February 4, 1854.

SAMUEL BARROW,
Immigration Agent.

VICTORIA.

No. 12.

(Return of Vessels in Harbour on 1st March 1854, Ports of Melbourne and Geelong. This Voluminous Return is not printed.)

No. 13.

A Return of the disposal of 32 Persons for Trial at the Circuit Court, Castlemaine, Colony of Victoria, February 9, 1854.

Offence.	Convicted.	Acquitted	Discharged from absence of witnesses,	Remanded to next Sessions.	Total.
Robbery in company - - - -	1	1	–	3	5
Shooting at with intent to do grievous bodily harm. - - - - - - -	1	–	–	–	1
Stealing in a dwelling-house to the value of £5 - - - - - - - -	2	–	–	2	4
Stealing from the person - - -	1	2	–	2	5
Horse stealing - - - - - -	3	2	–	–	5
Larceny - - - - - - - -	2	–	–	3	5
Rape - - - - - - - -	–	–	–	1	1
Sodomy - - - - - - - -	–	–	–	1	1
Maliciously wounding - - - -	–	–	–	1	1
Found by night in a dwelling-house without lawful excuse - - - - - -	–	–	–	1	1
Personation under the Gold Fields Act -	1	–	–	1	2
Rescue - - - - - - - -	–	–	–	1	1
	11	–	–	16	32

Sentences.

To 12 years on roads of the Colony, two first in irons - - -	1
„ 10 do. do. do. - - - - - -	1
„ 9 do, do. do. - - - - - -	2
„ 7 do. do. do. - - - - - -	1
„ 6 do. do. do. - - - - - -	2
„ 5 do. do. do. - - - - - -	1
„ 12 months do. do. - - - - - -	1
„ 6 do. Imprisonment - - - - - -	1
Fined - - - - - - - - -	1
	11

Henry F. Greener,
Crown Solicitor.

No. 14.

VICTORIA.
Department of Commissioners for the Gold Fields.

Return of the estimated Population on the various Gold Fields of this Colony on the February 18, 1854.

Locality.	Men.	Women.	Children.	Total.	Remarks.
Castlemaine - -	24,000	3,600	5,300	32,900	
Sandhurst - -	8,300	4,100	2,300	14,700	
Ballarat - - -	19,300	4,300	3,650	27,250	
Beechworth - -	3,880	830	520	5,230	
Heathcote - -	2,000	550	300	2,850	
Total - -	57,480	13,380	12,070	82,930	

Office of the Chief Commissioner of Gold Fields,
Melbourne, March 18, 1854.

W. H. Wright,
Chief Commissioner of the Gold Fields.

No. 15.

RETURN of the disposal of Seven Persons for Trial at the Court of General Sessions, Sandhurst, Colony of Victoria, 2d February, 1854.

Offence.	Convicted.	Acquitted.	Discharged from absence of witnesses.	Remanded to next Sessions.	Total.
Larceny - - - -	4	–	–	–	4
Robbery, armed with an offensive weapon -	1	–	–	–	1
Shooting with intent to do some grievous bodily harm - - - -	1	–	–	–	1
Cutting and wounding with intent to do some grievous bodily harm - - -	1	–	–	–	1
	7	–	–	–	7

SENTENCES.

To 10 years on the roads of the Colony, two first in irons - -	1
„ 6 do. do. do. - - - - - -	1
„ 5 do. do. do. - - - - -	1
„ 2 do. do. do. - - - - - -	1
„ 6 months do. do. - - - - - -	3
	— 7

No. 16.

Ballarat, February, 1854.

To his Excellency the Lieutenant Governor of Victoria, &c.

May it please your Excellency,

We, the storekeepers resident in the district of Ballarat, beg to approach your Excellency with every feeling of respect to your person and office, with all deference to the laws, and with the greatest loyalty to Her most Gracious Majesty the Queen; but labouring under a grievance which we believe your Excellency has both the power and inclination to redress upon a fair representation of our grounds of complaint being made to you.

We beg to present this our Memorial, humbly showing,

That in an Act recently passed for the better regulation of the gold fields, storekeepers are to be taxed to the extent of fifty pounds per annum, for a licence to sell goods which have already, as articles of foreign produce, paid the colonial customs duties, or as British produce or manufactures are entitled by law of the Imperial Parliament to be free. That no other persons but those resident on the gold fields are subjected to such an impost. That from the very large number of storekeepers now on the diggings, competition has reduced prices and profits to so low a rate, that such a tax must in most instances be paid from capital.

That we are exposed to the competition of a vast number of hawkers, who retail their wares unchecked in all parts of the diggings, who have no licence of any kind, and who by their frequent visits to the town auctions and markets, and by their exemption from all charges, are enabled to undersell the established storekeepers paying licences, wages, and many other expenses. That we are subject to great personal privations, much injury to our stock from necessarily imperfect tenements, serious losses and charges from removals incident to the shifting and precarious nature of the diggings, from all which the traders in towns are exempt, as well as from this additional heavy impost.

We have hitherto refrained from remonstrating in the belief that your Excellency's assent would not be given to such a measure; but notice of immediate payment having been officially issued, we, the storekeepers of Ballarat, do hereby protest against payment of such tax, affirming that it is unjust in principle, must be partial in its collection, and is an oppressive, uncalled for, and unconstitutional burthen upon our industry.

We therefore respectfully beg that your Excellency will be pleased to take the subject of this our memorial into your favourable consideration.

And we, your memorialists, will ever pray, &c.

(Signed by 258 persons.)

Colonial Secretary's Office,
Melbourne, 20th February, 1854.

SIR,

I am commanded by the Lieutenant Governor to state in reference to the memorial from certain storekeepers resident at Ballarat, that his Excellency regrets he is quite unable to comply with the prayer of the memorialists.

VICTORIA.

2. From the whole tenor of the memorial it is clear that they have been led to view the charge in a false light. It cannot justly be called a tax; neither whatever may be its real character, would the memorialists be justified in averring that none but residents on the gold fields are subject to such an impost. Throughout the colony, wherever a storekeeper may locate himself on Crown lands for the pursuit of his calling, it is under a charge of precisely similar character, though the amount may not have been hitherto precisely the same.

3. But this subject has also been under full consideration, and the charge for the enjoyment of similar privileges throughout the colony will henceforth be equalized; although it might be urged that in ordinary cases and in the ordinary country districts the amount of advantage to be drawn from this occupation may not be justly compared with that of the storekeeper on the gold fields.

4. It must further be borne in mind that the charge in question is to be levied upon a certain division of the population of the gold fields, for the privilege of occupying the public lands, and carrying on the business under the protection of the law, without their incurring the expenses of becoming bonâ fide purchasers of Crown lands. Any other arrangement would be unjust to the public and to those who, having invested capital in the purchase of land on the gold fields, or who may hereafter do so, have a right to expect that they shall receive the same regard and protection which the memorialists, in the second paragraph of their memorial, claim at the hands of his Excellency, in respect to the "hawkers," from whose competition they consider, with some reason doubtless, that they are sufferers.

5. The attention of the Lieutenant Governor has already been drawn to this subject, and his Excellency has now under his consideration the proper remedy for the grievance.

6. The cause assigned by the memorialists for their present discontent, the competition arising from the very large number of storekeepers, is one quite beyond the province or power of the Executive Government or Legislature to rectify. If an evil, it must be allowed to cure itself, and will assuredly do so in time.

I have, &c.,
(Signed) J. FOSTER.

James Colles, Esq.,
Ballarat.

No. 11.

No. 11.

COPY of a DESPATCH from Lieutenant-Governor LATROBE to the Duke of NEWCASTLE.

(No. 64.) Melbourne, May 1, 1854.

MY LORD DUKE, (Received August 8, 1854.)

IN leaving nothing for the pen of my successor which can with justice or propriety be held to fall to my share, I proceed to furnish, for the information of your Grace, a last report upon the state of the Gold Fields of this colony, and to transmit the usual file of returns for the two months ending the 30th April.

2. Since my despatch of the 15th March, enclosing the returns for the first two months of the year, was forwarded, so little has occurred out of the common course that there would appear to be very little occasion for particular remark. General good order has reigned throughout the Gold Districts; additional activity has been infused into the workings by the return of the rainy season, which this year has set in a full month earlier than usual, and the health of the gold mining population had very much improved.

*Page 130.

3. The enclosed summary of the reports of the Crown Lands Commissioners, from the 6th March to the 15th April, may be held to answer all purposes, showing more clearly than may have been gathered from my ordinary form of condensed report the character of the detailed information received weekly from each Gold Field.

I have, &c.
C. J. LATROBE.

His Grace the Duke of Newcastle,
&c. &c. &c.

Encl. 1. in No. 11.

Enclosure 1 in No. 11.

SUMMARY of the Weekly Reports of the Chief Commissioner of the Gold Fields, 1854, from the 25th February to 30th April.

BALLARAT.

For the week ended 4th March.

The Chief Commissioner reports the state of affairs at this Gold Field, and those in its vicinity, to be in the highest degree satisfactory. The number of the population is not given; but 13,480 oz. of gold had been sent to Melbourne by escort, and 28,529 oz. deposited with the resident Commissioner, with 7,891*l.* in cash. At Creswick's Creek,

VICTORIA.

3,024 oz. and 7,891*l.* in cash had been deposited. The revenue for the past week is stated to have been 5,791*l.*, and the district quiet and orderly.

For the week ended 11th March.

In the following week the revenue is given at 5,561*l.*, collected as follows:—

	£.
Storekeepers' licences - - - -	1,345
Miners' " - - - -	4,206
	£5,551

A dispute had arisen with respect to the possession of a "claim," which, however, was quickly put down by the police, with the help of the military, and quietness was soon restored.

For the week ended 18th March.

Another slight disturbance of the same nature incurred in the ensuing week, but it too was speedily quelled. The quantity of gold to be sent to Melbourne was 19,860 oz., and the licence fees had diminished to only 2,458*l.*, owing, it was believed, to the absence of the police, in consequence of the County Court being held at the time, at which they were obliged to attend.

For the week ended 25th March.

Heavy rains in the ensuing week prevented mining operations being carried on with their usual vigour; an instance, however, is given of a party of eight persons having taken 412 pounds weight of gold from the bottom of a claim 24 feet square. In consequence of the severity of the weather, no search could be prosecuted for unlicensed miners, and the amount collected of fees was only the small sum of 873*l.*

Among the Chinese miners a general disturbance had arisen, for which no cause is assigned, but knives and pistols came into use, and severe wounds were inflicted, without, however, any fatal results.

For the week ended 1st April.

There is no item of any interest in the report for this period.

For the week ended 8th April.

Nor, with the exception of a single bucket of soil obtained from the bottom of one of the deep shafts, having yielded 15 pounds weight of gold, and of the operations of the district being progressing favourably, is any matter of importance comprised in that for the following week.

For the week ended 15th April.

The resident Commissioner reports an increase of population, but makes no mention of the actual numbers composing it, neither does he usually report the amount of fees collected, which are both points of the highest consequence.

SUMMARY of the Weekly Report of the Chief Commissioner of the Gold Fields, 1854.

CASTLEMAINE.

For the week ended 4th March.

The want of water at the new field at Tarrengower has had the effect of obliging miners to leave this Gold Field in considerable numbers, the remark being applicable more particularly to persons of small means, who, consequently, cannot delay in endeavouring to turn their labour to account. Mention is also made of the importance of the police in enforcing the collection of the licence fees, the number of licences taken out always being observed to bear a proportion to the energy or otherwise of the police in searching after unlicensed diggers.

Those issued in the week were—

300	monthly, at - - -	£1
817	quarterly, at - - -	2

For the week ended 11th March.

The report for this week is of a satisfactory nature, without entering into particulars. Licences issued were—

382	monthly, at - - -	£1
1,930	quarterly, at - - -	2

and of storekeepers' licences—

7	quarterly, at - - -	£15
3	half-yearly, at - - -	25

making, for the week, a total revenue of 4,422*l.*

For the week ended 18th March.

Golden Point, at Castlemaine, had again come into favour, and the miners are reported to have met with fair remuneration. Many persons had abandoned Maldon, for the reasons above mentioned; but in the meantime a great extent of fresh ground had been opened, and the washing stuff piled ready to be washed the moment the wet weather should commence.

Dysentery and ophthalmia prevailed to some extent among the population, the numbers of which were estimated at 30,580.

Revenue for the week, 3,101*l.*, by the following issue of licences:—

Miners.

1,215	at - - - - -	£2
466	at - - - - -	1

Storekeepers.

12	at - - - - -	£15
1	at - - - - -	25

VICTORIA.

The revenue is reported to have fallen off (among the same number of miners as was given for last week) to 2,604*l.*, a diminution which the resident Commissioner attributes to the police being unable at the time to be as active in the pursuit of the unlicensed as might be wished, through their scarcity. Measures had been taken, however, to cure this evil.

For the week ended 1st April.

The population and revenue had both suffered a decrease since the previous week, the estimated number being, in the former case, 31,900 persons, and the revenue 2,219*l.*, collected as follows:—

Miners' Licences.

283	at - - - - -	£1
793	at - - - - -	2

Storekeepers.

15	at - - - - -	£15
5	at - - - - -	25

For the week ended 8th April.

The Gold Fields in the district are stated to be in a prosperous condition, and the general health improving.

The arrival of Chinese at Tarrengower in large numbers is mentioned; one body alone consisted of more than 500, and the population at this one Gold Field is given at 18,000, all of whom, with but few exceptions, the resident Commissioner gives it as his opinion must be profitably engaged. Two persons had been killed by lightning during a thunderstorm. Special allusion is made to the good attendance of persons of all classes at their respective places of worship, where Divine service is now being regularly performed.

Population, 31,900; revenue, 2,979*l.*

For the week ended 15th April.

A general feeling of satisfaction is said to pervade the entire district. A nugget of twenty-three lbs. had been found.

The population had slightly increased (to 32,540), and the revenue for the week, 2,020*l.*

SUMMARY of the Weekly Reports of the Chief Commissioner of the Gold Fields, 1854.

SANDHURST.

For the week ended 4th March.

A great many persons are reported to have returned to Sandhurst from Maldon and other Gold Fields, and the revenue from licence fees underwent a proportionate increase, the number issued having been as follows:—

Miners.

91	at - -	£1
1,037	at - -	2
6	at - -	4
2	at - -	8

Storekeepers.

25	at - -	15
27	at - -	25

giving for the week a total return of £3,255.

For the week ended 11th March.

The gold and cash sent to Melbourne by escort during this week was, of the former, 640 oz., and of the latter, 2,732*l.* The respective amounts left on deposit were 12,407 oz. and 15,576*l.*

A good deal of sickness—dysentery—was prevailing; the Gold Fields were quiet, and 2,636*l.* revenue was collected, chiefly by the 2*l.* class of miners' licences.

For the week ended 18th March.

A steady increase is taking place in the population, and a greater disposition appears shown by storekeepers to take out their licences than formerly, ninety-eight having been issued of the 25*l.* kind, and thirty-seven of the 15*l.*

The entire sum collected being 5,687*l.*; and 6,219 oz. of gold was sent by escort to Melbourne, with 1,378*l.* in cash.

For the week ended 25th March.

All the resident storekeepers having now taken their licences out occasions a very perceptible diminution in the revenue from that source, which accordingly is for this week only 1,974*l.*, as follows:—

Miners' Licences - - -	£1,374
Storekeepers - - - - - -	600
	£1,974

For the week ended 1st April.
For the week ended 8th April.

These reports contain nothing of the slightest interest; it only appears from them that the miners continue steadily and quietly at their work, except when prevented by wet weather, which now affords pretty frequent interruptions to their operations; notwithstanding which, that large quantities of gold are being sent down to Melbourne. The amount of license fees appears to be steadily diminishing, more particularly in regard to storekeepers' licences.

For the week ended 15th April.

Nothing farther can be said with respect to the reports from Sandhurst.

SUMMARY of the Weekly Reports of the Chief Commissioner of the Gold Fields, 1854.

HEATHCOTE and WARANGA.

The police had returned to duty, and all matters were progressing favourably. — For the week ended 4th March.

For the reports for the succeeding three weeks, the same may be said. The Chief Commissioner reports that the crushing of quartz is being carried on with some success, but it does not appear that the operation is performed by machinery. The township of Heathcote is said to be assuming the appearance of a regular town, the building of houses being carried on to a very considerable extent. The population is stated to be steadily increasing from other Gold Fields, with a general tendency to settle for the winter season at Waranga, the Goulbourn River diggings, which seem getting into general favour; but the issue of licences is small, being at the latter place of every kind only 107, and at Heathcote only sixty-two, nor is there any attempt made to account for such being the case.

Ditto, 11th March. Ditto, 18th March. Ditto, 25th March. Ditto, 15th April. Ditto, 8th April. Ditto, 15th April.

SUMMARY of the Weekly Reports of the Chief Commissioner of the Gold Fields, 1854.

BEECHWORTH.

The unhealthiness of the Buckland River gold workings still continues, and a great number of persons accordingly had returned to Beechworth, where the Chief Commissioner reports it possible for every man to make at least excellent wages. Licences had been taken out to the value of 2,131*l.*, comprising storekeepers' half-yearly ones to the value of 800*l.*, and quarterly of 480*l.*, the remainder being made up of miners' licences. It is also reported that the police here were much dissatisfied with the new regulations, and that in consequence of them a good many men had resigned. The good order of the mining population is particularly dwelt on, — For the week ended 4th March.

The existence of a Gold Field at Lake Omeo having been reported to the resident Commissioner, he dispatched Mr. Shuter there, to ascertain in how far the statement was correct. — For the week ended 11th March.

A summary of his report is below. In the meantime, 4,998 oz. were sent by escort to Melbourne from Beechworth. The erection of a gaol was commenced. The population was computed at 5,000. Every new report brings the account of new auriferous districts being discovered, as well as of the general success of the miners. Sluice washing is spoken of as being practised here with much advantage. It is mentioned that the non-enforcement of the police regulations has given general satisfaction. — For the week ended 18th March.

Notwithstanding the unfavourable reports about the Buckland River, one-third of the gold from Beechworth appears to have been collected there.

The overland escort to Sydney is reported to have ceased to run.

During the periods noted in the margin, the greatest tranquillity is said to have continued to prevail at Beechworth, Buckland, and the Gold Fields in the district. Sickness had diminished. Numbers of persons were on the point of starting to Omeo. The Lord Bishop had arrived at Beechworth. — Ditto, 1st April. Ditto, 8th April. Ditto, 15th April.

The population is believed to range from between 4,000 to 5,000.

OMEO.

Summary of Mr. Commissioner Shuter's Report, dated 10th April.

Mr. Shuter arrived at a station three miles from Omeo, after five days' journey from Beechworth, and found fifty miners at work on the Livingstone River, the country in the vicinity of which presented all the usual appearances of being auriferous to an extent of about sixteen miles in length by two or three in breadth. His principal information was derived from a party of Californians, who expressed themselves satisfied with the place, and informed Mr. Shuter that it was their intention to remain there until the winter was past, so convinced were they that upon the water diminishing they would be well repaid for their trouble. Mr. Shuter saw himself great indications of gold over the above-mentioned space, and has formed strong opinions upon the productiveness of the country, when properly tried, but its almost impracticable position is very much against its ever coming into great repute.

Omeo is about 150 miles from Beechworth.

SUMMARY of the Weekly Reports of the Chief Commissioner of the Gold Fields, 1854.

BALLARAT.

The Chief Commissioner reports that the yield of gold here still continues large (though the amount is not stated), and that there appears on the miners' parts every disposition to remain in large numbers during the winter season; wooden huts are being erected, and tents taken up and re-pitched carefully. The good order and regularity that prevails is also noticed. — For the week ended 22nd April.

VICTORIA.

CASTLEMAINE.

The reports for this Gold Field for the same period go to show that in every direction the gold mines are extending, new workings being constantly discovered, and the miners doing well everywhere; their total numbers in the Castlemaine home district, which includes the following Gold Fields, viz., Castlemaine, Golden Point, Fryer's Creek, and Tarrengower, are stated to be 32,540. The population at the outstation is not stated. The licences issued are as follows:—

Miners.	£1	£2
Castlemaine	86	199
Golden Point	46	28
Fryer's Creek	40	90
Tarrengower	68	191
	240	508

Storekeepers.	£15	£25
Castlemaine	1	—
Fryer's Creek	1	—
	2	

Returning a revenue for the week of 1,286*l.*

SANDHURST.

In consequence of races and land sales having taken place here during the week, the returns of all kinds are very small. Very few licences were issued, and the gold deposited at the camp was only 443 oz., and 730*l.* in money; 8,537 oz. had been sent to Melbourne by escort.

HEATHCOTE.

Matters are said to be in the same position here as at the date of the last report.

BEECHWORTH.

The state of this Gold Field is most encouraging. Judging from the quantity of gold sent by escort (10,055 oz.), and from his estimate of the working population, the Chief Commissioner gives it as his opinion that each man has earned, on an average, twenty shillings a day for the previous fortnight. The sluicing system is pursued at Spring Creek with the greatest success, by working at which an ordinary labourer can obtain the wages of *thirty* shillings per diem. One party at Reid's Creek obtained 7 lbs. of gold in one day by sluicing.

At the Buckland River extensive preparations were being made for carrying out operations of this kind, some hundred of persons having determined on remaining there during the wet season. At Omeo, it is stated that mining prospects appear very favourable, though as yet many persons had not been able to collect there.

SUMMARY of the Weekly Reports of the Chief Commissioner of the Gold Fields, 1854.

BALLARAT.

For the week ended 29th April.

The Chief Commissioner reports that the workings are still progressing favourably. A number of miners have returned to Prince Regent's Gully where they are doing well, A new spot, called Smith's Hill, has been opened up about four miles in a south-easterly direction from the camp, near the tributary of Creswick Creek, the working of which promises to be remunerative.

CASTLEMAINE.

No material change has occurred since the last report. The population continues on the increase, and at the Avoca, where it is most apparent, the yield of gold is highly satisfactory. The united population of the district, embracing the head-station, Golden Point, Fryer's Creek, and Maldon, is estimated at 31,990.

The issues of licences during the week was—

	£.	£.
Miners	254 of 1	254
Do.	501 of 2	1,002
Do.	2 of 8	16
Storekeepers	5 of 15	75
		£1,347

At the various out-stations the Commissioners have been in search of unlicensed miners; but at Castlemaine the resident Commissioner has been unable to spare a Commissioner for this very important duty, owing to the absence of the police mogistrate, and the consequent devolution of his duties upon the officers of this department.

SANDHURST.

The population is reported as increasing in this district.

The number of licences issued during the week is as follows:—

	£.	£.
Miners - - -	219 at 1 - - -	219
Do. - - -	680 at 2 - - -	1,360
Storekeepers - -	17 at 15 - - -	255
Do. - - -	10 at 25 - -	250
		£ 2,084

The remittances by escort to Melbourne were 8,226 ounces of gold and 1,602*l.* cash, leaving a deposit of 11,890 ounces 10 dwts. of gold and 19,492*l.* cash. The roads are improving, and steps are about to be taken to procure five fire engines to be kept at each head station on the Gold Fields.

HEATHCOTE.

No occurrence of interest is reported from Heathcote, the population being about the same.

WARANGA.

The population is here slightly augmented, the new diggings known as the "Wet Diggings" being the locality most resorted to.

BEECHWORTH.

The numbers on this Gold Field are stated to exceed in the aggregate those mentioned in the later reports, amounting to about 4,700; but in the immediate vicinity of the township some alarm had prevailed among the storekeepers, on account of the decrease in the population, attracted by the report of the Omeo Gold Fields. These, however it is expected will have to return, from the impossibility of providing themselves with provisions; and indeed some had already returned, being unable to proceed. The effects of a flood at the Buckland, and the extreme cold of the water, had deterred many from continuing their labour. New dry workings have, however, been found, which promise more than average success, as much as an ounce and a half of gold having been obtained from a single dish of earth.

The number of licences issued during the week are—

	£.	£.
Miners - -	61 at 1 - - -	61
Do. - - -	104 at 2 - - -	208
Storekeepers - -	1 at 15 - - -	15
		£284

Good order and tranquillity continue to prevail at all the Gold Fields, and upon the whole the state of health appears to be good.

Encl. 2 in No. 11.

Enclosure 2 in No. 11.

GOLD RETURNS, &c. &c., contained in the Lieutenant-Governor's Despatch, No. 64, of date 1st May 1854.

March and April 1854.

No. 1.—Return of the Number of Licences issued at the various Gold Fields of this Colony.
No. 2.—Return of Gold transmitted by Government Escort from the various Workings.
No. 3.—Return of the Amount received as Fees for Licences issued.
No. 4.—Return of the Amount received as Fees for the Escort of Gold.
No. 5.—Return of Sales by Tender of Government Gold.
No. 6.—Return of the Amount received as Fees for the Custody of Gold and Cash.
No. 7.—Return of Gold exported.
No. 8.—Return of the Receipt and Delivery of Gold forwarded by the Government Escorts.
No. 9.—Return of the Rates of Wages and Prices Current on the various Gold Fields.*
No. 10.—Return of the Rates of Wages and Prices Current in Melbourne.*
No. 11.—Return of the Arrivals at and the Departures from this Colony by Sea.
No. 12.—Return of the Civil, Military, and Police Force employed on and in connexion with the various Gold Fields.*
No. 13.—Return of Vessels in Harbour, Ports of Melbourne and Geelong, on 1st May 1854.*
No. 14.—Return of Cases brought before the Circuit Court held at Castlemaine on the 10th April 1854.
No. 15.—Return of the estimated Population on the various Gold Fields.

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* These voluminous Returns are not printed.

No. 1.

Department of Commissioners for the Gold Fields, Victoria.

RETURN of the Number of Licences to dig and search for Gold, and of Licences to carry on the Business of Storekeepers, issued at the various Gold Fields of this Colony during the Months of March and April 1854.

Districts.	March.							April.						
	Miners' Licences.				Storekeepers' Licences.			Miners' Licences.				Storekeepers' Licences.		
	Number of Licences issued for 1 month at £1.	Number of Licences issued for 3 months at £2.	Number of Licences issued for 6 months at £4.	Number of Licences issued for 12 months at £8.	Number of Licences issued for 3 months at £15.	Number of Licences issued for 6 months at £25.	Number of Licences issued for 12 months at £50.	Number of Licences issued for 1 month at £1.	Number of Licences issued for 3 months at £2.	Number of Licences issued for 6 months at £4.	Number of Licences issued for 12 months at £8.	Number of Licences issued for 3 months at £15.	Number of Licences issued for 6 months at £25.	Number of Licences issued for 12 months at £50.
Castlemain -	1,678	7,296	Nil.	Nil.	85	35	Nil.	1,753	4,132	Nil.	2	40	11	Nil.
Sandhurst - -	919	4,685	9	3	57	137	Nil.	1,019	2,595	1	2	53	39	Nil.
Ballarat - -	1,353	5,026	2	Nil.	90	53	Nil.	583	1,421	Nil.	Nil.	74	20	Nil.
Beechworth -	450	783	Nil.	Nil.	7	5	Nil.	400	519	Nil.	Nil.	11	Nil.	Nil.
Heathcote - -	163	419	Nil.	Nil.	7	3	Nil.	288	404	Nil.	Nil.	8	7	Nil.
Total - -	4,563	18,209	11	3	246	233	Nil.	4,043	9,071	1	4	186	77	Nil.

Office of the Chief Commmissioners of the Gold Fields,
Melbourne, 25th May 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 2.

RETURN of all GOLD transmitted by the GOVERNMENT ESCORT from the various Workings, from the 1st March to the 30th April 1854.

Date.	Government Gold.		Private Gold.				Total.		Grand Total.	
	Quantity.	Money Value at £3 15s. per Ounce.	To Melbourne.		To Geelong.					
			Quantity.	Money Value.	Quantity.	Money Value.	Quantity.	Money Value.	Quantity.	Money Value.
					BALLARAT.					
			ozs.	£. s.	ozs.	£ s.	ozs.	£ s.	ozs.	£. s.
March 1	- -	- -	5,737	21,513 15	11,036	41,385 0	16,773	62,898 15		
„ 7	- -	- -	4,158	15,592 10	9,322	34,957 10	13,480	50,550 0		
„ 14	- -	- -	6,274	23,527 10	12,497	46,863 15	18,771	70,391 5		
„ 21	- -	- -	7,339	27,521 5	12,521	46,953 15	19,860	74,475 0		
„ 28	- -	- -	3,989	14,958 15	8,619	32,321 5	12,608	47,280 0		
April 3	- -	- -	4,445	16,668 15	13,030	48,862 10	17,475	65,531 5		
„ 10	- -	- -	3,983	14,936 5	10,427	39,101 5	14,410	54,037 10		
„ 18	- -	- -	4,502	16,882 10	6,795	25,481 5	11,297	42,363 15		
„ 28	- -	- -	3,811	14,291 5	7,215	27,056 5	11,026	41,347 10		
	- -	- -	44,238	165,892 10	91,462	342,982 10	135,700	508,875 0	135,700	508,875 0
					MOUNT ALEXANDER.					
March 3	- -	- -	16,976	63,660 0	—	—	—	—		
„ 10	- -	- -	18,570	69,637 10	—	—	—	—		
„ 17	- -	- -	17,351	65,066 5	—	—	—	—		
„ 24	- -	- -	18,244	68,415 0	—	—	—	—		
„ 31	- -	- -	18,071	67,766 5	—	—	—	—		
April 7	- -	- -	20,792	77,970 0	—	—	—	—		
„ 14	- -	- -	16,815	63,056 5	—	—	—	—		
„ 21	- -	- -	19,367	72,626 5	—	—	—	—		
„ 28	- -	- -	18,276	68,535 0	—	—	—	—		
	- -	- -	164,462	616,732 10	- -	- -	- -	- -	164,462	616,732 10
					THE OVENS.					
March 3	- -	- -	7,870	29,512 10	—	—	—	—		
„ 13	- -	- -	4,998	18,742 10	—	—	—	—		
„ 27	- -	- -	6,589	24,708 15	—	—	—	—		
April 10	- -	- -	4,010	15,037 10	—	—	—	—		
„ 24	- -	- -	10,055	37,706 5	—	—	—	—		
	- -	- -	33,522	125,707 10	- -	- -	- -	- -	33,522	125,707 10
					M'IVOR.					
March 4	- -	- -	419	1,571 5	—	—	—	—		
„ 18	- -	- -	439	1,646 5	—	—	—	—		
„ 27	- -	- -	426	1,597 10	—	—	—	—		
April 10	- -	- -	594	2,227 10	—	—	—	—		
„ 24	- -	- -	689	2,583 15	—	—	—	—		
	- -	- -	2,567	9,626 5	- -	- -	- -	- -	2,567	9,626 5
									336,251	1,260,941 5

Colonial Treasury, Melbourne,
3d May 1854.

W. LONSDALE, Colonial Treasurer.

No. 3.

RETURN of the AMOUNT of FEES for LICENCES issued at the various WORKINGS, from the 1st March to the 30th April 1854.

——	Where issued.	Gold.	Money Value.			Cash.			Total Amount.		
		ozs.	£.	s.	d.	£	s.	d.	£	s.	d.
March -	Ballarat, Mount Alexander, &c.	- -	-	-	-	44,395	9	6	44,395	9	6
April -	Do. - -	- -	-	-	-	21,200	0	0	21,200	0	0
		- -	-	-	-	—			£65,595	9	6

Colonial Treasury, Melbourne,
3d May 1854.

W. LONSDALE,
Colonial Treasurer.

VICTORIA.

No. 4.

RETURN of the AMOUNT of ESCORT FEES paid on private GOLD received at the various WORKINGS, from the 1st March to the 30th April 1854.

——	From whence.	Amount.		
		£	s.	d.
March -	Ballarat, Mount Alexander, &c. - - -	3,718	17	2
April - -	Do. - - - - -	4,335	4	3
		£8,054	1	5

Colonial Treasury, Melbourne,
3d May 1854.

W. LONSDALE,
Colonial Treasurer.

No. 5.

RETURN of SALES by TENDER of GOVERNMENT GOLD, from the 1st March to the 30th April 1854,

Nil.

Colonial Treasury, Melbourne,
3d May 1854.

W. LONSDALE,
Colonial Treasurer.

No. 6.

RETURN of the AMOUNT of FEES charged on GOLD and CASH deposited in the TREASURY beyond One Month, from the 1st March to the 30th April 1854.

——	No. of Parcels.	Weight.	Cash.			Office Fees.		
		ozs.	£	s.	d.	£	s.	d.
March - - -	291	7,525	-	-	-	536	4	6
April - - - -	219	7,699	-	-	-	299	16	1
	510	15,224	-	-	-	836	0	7

Colonial Treasury, Melbourne,
3d May 1854.

W. LONSDALE,
Colonial Treasurer.

No. 7.

RETURN of the AMOUNT of GOLD exported from this Colony during the Months of March and April 1854.

Port of Shipment.	March.			April.			Total.		
	ozs.	dwts.	cwts.	ozs.	dwts.	cwts.	ozs.	dwts.	grs.
Melbourne - - -	149,451	16	19	116,077	19	0	265,529	15	19
Geelong - - - -	52,889	12	0	-	-	-	52,889	12	0
Port Fairy - - -	-	-	-	-	-	-	218	0	0
Total - - -	202,341	8	19	116,077	19	0	318,637	7	19

Custom House, Melbourne,
3d May 1854.

HUGH C. E. CHILDERS.

NOTE.—In addition to the above, the following has been exported overland to Sydney in March:—5,663 *ozs.* 2 *dwts.* 0 *grs.*

No. 8.

MONTHLY RETURN of GOLD received on Private Account, March 1854.

	ozs.	dwts.
Balance on hand, 28th February 1854	35,922	2
Received from Mount Alexander	89,212	18
„ Ballarat	27,497	0
„ Ovens	19,457	0
„ M'Ivor	1,284	0
	173,373	0
Delivered to the Public	116,442	13
	56,930	7
Sent to Geelong	1,010	7
Balance	55,920	0

W. H. COPE,
G. R.

MONTHLY RETURN of GOLD received on Private Account, April 1854.

	ozs.	dwts.
Balance on hand, 31st March 1854	55,920	0
Received from Mount Alexander	75,250	16
„ Ballarat	16,741	10
„ Ovens	14,065	10
„ M'Ivor	1,283	0
	163,260	16
Delivered to the Public	109,611	1
	53,649	15
Sent to Geelong	336	0
Balance	53,313	15

W. H. COPE, G. R

Nos. 9 and 10.

[RETURNS of current Rates of Wages and Prices being extremely voluminous are not printed.]

No. 11.—Return showing the Number of Persons who have arrived in the Colony of Victoria by Sea during the Months of March and April 1854.

MARCH.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total from neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	996	189	63	3	379	179	150	10	794	189	104	8	46	16	30	1	2,215	573	347	22	930	666	415	73	1,555	118	37	3	4,700	1,357	799	98	6,954
Geelong -	6	7	6	–	1	–	–	–	45	15	8	4	2	–	–	–	54	22	14	4	9	5	7	–	3	–	–	–	66	27	21	4	118
Other Ports	–	–	–	–	–	–	–	–	6	2	–	–	–	–	–	–	6	2	–	–	93	109	42	15	–	–	–	–	99	111	42	15	267
Total -	1,002	196	69	3	380	179	150	10	845	206	112	12	48	16	30	1	2,275	597	361	26	1,032	780	464	88	1,558	118	37	3	4,865	1,495	862	117	7,339

APRIL.

Port of Arrival.	Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	845	137	34	1	385	104	57	3	664	159	84	7	30	11	17	–	1,924	411	192	11	690	704	299	31	408	30	23	5	3,022	1,145	514	47	4,728
Geelong -	1	–	–	–	1	–	–	–	85	23	13	3	–	–	–	–	87	23	13	3	114	50	69	11	6	1	–	–	207	74	82	14	377
Other Ports	10	4	–	–	17	3	2	1	17	3	2	–	–	–	–	–	44	10	4	1	–	–	–	–	–	–	–	–	44	10	4	1	59
Total -	856	141	34	1	403	107	59	4	766	185	99	10	30	11	17	–	2,055	444	209	15	804	754	368	42	414	31	23	5	3,273	1,229	600	62	5,164

Immigration Office, Melbourne,
May 4, 1854.

Samuel Barrow,
Immigration Agent.

No. 11, *continued.*—Return showing the Number of Persons who have departed from the Colony of Victoria, by Sea during the Months of March and April 1854.

MARCH.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total from neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	838	127	55	7	298	59	33	5	623	84	38	5	43	11	13	–	1,802	281	139	17	242	77	55	6	267	23	21	–	2,311	381	215	23	2,930
Geelong	12	4	2	–	3	2	–	–	28	7	1	–	2	1	–	–	45	14	3	–	21	17	12	1	3	–	–	–	69	31	15	1	116
Other Ports	8	6	4	–	10	2	3	–	–	–	–	–	–	–	–	–	18	8	7	–	2	–	–	–	–	–	–	–	20	8	7	–	35
Total -	858	137	61	7	311	63	36	5	651	91	39	5	45	12	13	–	1,865	303	149	17	265	94	67	7	270	23	21	–	2,400	420	237	24	3,081

APRIL.

Port of Departure.	Melbourne -	Geelong -	Other Ports	Total -
New South Wales. Adults. Male.	918	15	9	942
Female.	174	6	2	182
Children between 1 and 14 years.	95	14	–	109
Infants under 1 year.	13	–	–	13
South and Western Australia. Adults. Male.	345	–	–	345
Female.	79	–	–	79
Children between 1 and 14 years.	60	–	–	60
Infants under 1 year.	7	–	–	7
Van Diemen's Land. Adults. Male.	518	31	1	550
Female.	122	14	1	137
Children between 1 and 14 years.	84	9	–	93
Infants under 1 year.	6	–	–	6
New Zealand and South Seas. Adults. Male.	59	–	–	59
Female.	16	–	–	16
Children between 1 and 14 years.	21	–	–	21
Infants under 1 year.	3	–	–	3
Total from neighbouring Colonies. Adults. Male.	1,840	46	10	1,896
Female.	391	20	3	414
Children between 1 and 14 years.	260	23	–	283
Infants under 1 year.	29	–	–	29
The United Kingdom. Adults. Male.	255	–	6	261
Female.	76	–	6	82
Children between 1 and 14 years.	79	–	10	89
Infants under 1 year.	2	–	–	2
Foreign Ports. Adults. Male.	83	–	–	83
Female.	8	–	–	8
Children between 1 and 14 years.	–	–	–	–
Infants under 1 year.	2	–	–	2
General Total. Adults. Male.	2,178	46	16	2,240
Female.	475	20	9	504
Children between 1 and 14 years.	339	23	10	372
Infants under 1 year.	33	–	–	33
Total Souls.	3,025	89	35	3,149

Immigration Office, Melbourne,
May 4, 1854.

Samuel Barrow,
Immigration Agent.

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No. 12.—RETURN of the Civil, Miltary, and Police Force employed on and in connexion with the various Gold Fields.
[This voluminous Return is not printed.]

No. 13.—RETURN of Vessels in Harbour, Ports of Melbourne and Geelong, on 1st May 1854.
[This voluminous Return is not printed.]

No. 14.

A RETURN of the Disposal of 65 Persons for Trial at the Circuit Court, Castlemaine, Colony of Victoria, 10th April 1854.

Offence.	Convicted.	Acquitted.	Discharged, no Prosecution.	Discharged from absence of Witnesses.	Remanded to next Session.	Total.
Murder	1	-	-	-	-	1
Sodomy	1	-	-	-	-	1
Rape	-	1	-	-	-	1
Wounding with intent to do bodily harm	-	1	-	-	-	1
Robbery in company	6	5	-	2	3	16
Stealing in a dwelling house to the value of 5*l.*	4	1	-	-	1	6
Stealing from the Person	1	2	1	1	-	5
Horse stealing	3	-	-	-	1	4
Burglary	1	-	-	-	-	1
Larceny	9	7	2	1	2	21
Found by night in a dwelling house without lawful excuse	-	1	-	-	-	1
Maliciously wounding	1	-	-	-	1	2
Personation. Exhibiting as his own a gold licence belonging to another	1	-	1	-	1	3
Rescue	-	-	-	-	1	1
Perjury	-	-	-	-	1	1
Total	28	18	4	4	11	65

SENTENCES.

Death	1
Ditto recorded	1
12 years on roads of the colony; two first in irons	3
7 do. do.	5
6 do. do.	2
5 do. do.	7
3 do. do.	2
2 do. do.	2
12 months do. do.	2
3 do. do.	1
6 do. imprisonment	1
2 do. do.	1
	28

HENRY F. GUINER, Crown Secretary.

No. 15.

RETURN of the estimated Population in the various Gold Fields of the Colony of Victoria on the 15th April 1854.

District.	Men.	Women.	Children.	Total.
Castlemaine	29,630	5,420	6,640	41,690
Sandhurst	13,900	6,500	5,250	25,650
Ballarat	25,050	3,975	4,600	33,625
Beechworth	3,460	760	480	4,700
Heathcote	2,700	800	500	4,000
Total	74,740	17,455	17,470	109,665

Office of the Chief Commissioner of Gold Fields,
Melbourne, 25th May 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

VICTORIA.

No. 12.

No. 12.

EXTRACT of a DESPATCH from Lieutenant-Governor LATROBE to the Duke of NEWCASTLE; dated Melbourne, 2nd May 1854.

(No. 65.) (Received 8th August 1854.)

"My despatch No. 50, of the 12th April, will have apprised your Grace of the prorogation of the Legislative Council after a session of more than ordinary importance and of extraordinary duration.

"It is my duty to transmit, and request your Grace to submit for Her Majesty's confirmation, the various measures passed during the session, accompanied by such explanation of the purport and character of each, as may appear usual and called for.

"The very peculiar circumstances which led to the introduction and passing of this Act were fully brought under your Grace's notice in Despatch No. 150, September 12th, 1853,* and it may be unnecessary for me here to recapitulate. In my further despatch, No. 158,† Sept. 24th, 1853, I had occasion to point out how effectually it answered the purpose of allaying the agitation on the gold fields, and of at once separating the cause of the mere political agitators from that of the mass of the gold mining population.

17 Vict. No. 1.
An Act to alter an Act intituled "An Act to "restrain by summary "Proceeding unautho- "rized mining on "Waste Lands of the "Crown"
[This Act is printed at page 179, Appendix to the present Paper.]

"A subsequent despatch, No. 177,‡ November 17, 1853, brought under notice the steps afterwards taken by the Legislature, and the substitution in the place of this temporary measure of the permanent law, a copy of which was transmitted in Despatch No. 192,§ December 10, 1853, and to which it will be my duty to advert in its place.

17 Vict. No. 4.

‡ Page .
§ Page .

* * * * * *

"In explaining the reasons for passing the temporary Act relating to the Gold Fields I alluded to the more permanent measure. The draft of a Bill for the better management of the Gold Fields was transmitted to the Council, and referred to a select committee appointed to report thereon, who examined as witnesses twenty-four persons more or less conversant with the habits and pursuits of the gold miner, and after a patient investigation of the whole subject, recommended the passing of an Act the main principles of which were set forth in their report. To it, as explanatory of the views of the legislature in framing the Act now submitted, I would ask your Grace to refer.

17 Vict. No. 4.
"An Act for the better "Management of the "Gold Fields in the "Colony of Victoria."
[This Act is printed at page 180, Appendix to the present Paper.]

"A very liberal scale of fees for the permission of mining on waste lands of the Crown was recommended by the committee, and adopted by the Council.

"In addition to the prohibitory clauses necessary in such an enactment, various provisions have been inserted, to meet the peculiar state of circumstances necessarily existing on the Gold Fields.

"Justices are empowered to award compensation for encroachment on the claim of a licensed miner, and also to adjudicate summarily on disputes arising out of mining partnerships.

"Power is given to the Lieutenant-Governor to lease portions of auriferous land, subject necessarily to the regulations respecting the sale of waste lands of the Crown; and provision is made for carrying those powers into practical operation.

Stealing gold, or clay containing gold—an offence likely to be committed on Gold Fields—is subject to very severe punishment.

The practical operation of this Act has been attended with most satisfactory results; and save some objections raised by storekeepers, whose lucrative gains justified the fee now imposed, no complaints whatever have reached me.

* * * * * *

"Lines of electric telegraph having been already formed, and several others being contemplated, an Act has been passed for their regulation. The extreme simplicity of this Act is mainly attributable to the circumstance that scarcely any private property will be required for the formation of the lines; roads or waste lands of the Crown being in all cases selected as the most economical and best adapted sites on which to place the requisite posts and wires. The clauses of the Lands Clauses Consolidation Act have been therefore unnecessary. The control and management of the various lines are subject to the direction of the Lieut.-Governor and Executive Council, and the monies

17 Vict. No. 22.
"An Act for Electric "Telegraphs."
[This Act is printed at page 183, Appendix to present Paper.]

* Page 158 } of Papers relative to the Gold Discoveries in Australia, presented to Parliament by
† Page 191 } Her Majesty's Command, February 1854.

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arising from fees are to be paid into the general revenue. It is anticipated that in most cases the lines will be self-supporting. I may refer with some pride to this Act, as the first passed respecting telegraphic communication in any of the Australian colonies."

No. 13.

No. 13.

Copy of a DESPATCH from Lieutenant-Governor Latrobe to the Duke of Newcastle.

(No. 66.) Melbourne, May 4, 1854.
(Received August 8, 1854.)

My Lord Duke,

1. In the paragraph of my despatch No. 65 of the 2nd May, accompanying the Bills of the session of the Legislative Council of this colony just closed, I intimated that I considered that the character of the Act of Appropriation of the year might render it expedient for me to offer some further explanation with respect to its several provisions in a separate communication; and I have now the honour, in pursuance of this intention, to offer the following observations for your Grace's consideration :—

2. First, as to the general scheme of the estimated revenue and expenditure.

The original scheme is fully detailed in the minute of October 5th. Had the arrangements proposed by Government been fully adopted, the probable result at the termination of the current year would have been a balance of nearly 60,000*l.*; but on the revenue side there have occurred the subjoined changes.

3. The rejection of the increased duty on spirits and sugar reduce the estimated Customs Revenue by 280,000*l.*

4. The rejection of the gold export duty, and of the general arrangements in connexion with the gold revenue, reduce the estimate under this head by 240,000*l.*

5. The increases made by subsequent legislation on the estimates originally proposed are:—

Pilotage, from 16,000*l.* to 46,000*l.* - - - - - -	£ 30,000
Tonnage duty, a new impost - - - - - - -	30,000
Licenses to sell spirits, 95,000*l.* to 125,000*l.* - - -	30,000
Postage, from 40,000*l.* to 65,000*l.* - - - -	25,000
Assessment on stock, a new impost - - - -	70,000
Making an additional revenue of - - - -	£ 185,000

Hence the ordinary revenue must be increased by that sum, and decreased by the sum of 520,000*l.* Making allowances for some items supposed to be under estimated, it may be taken at 1,978,500*l.*, instead of at 2,313,500*l.*

Further, the amount which may be anticipated from the unappropriated moiety of the land fund was overstated. Probably, instead of 900,000*l.*, 700,000*l.* will be nearer the result. This is chiefly owing to the enormous quantity of lands sold last year, which has more than satisfied speculative purchasers, who now find it difficult to re-sell their land except at a loss; and partly because it is feared that a European war will check the emigration which had been reckoned on. The total means available will therefore be, taking in the balance at the end of 1853, 2,778,500*l.*

6. On the expenditure side it will be found that the items under the twenty-two heads detailed in the estimates were raised from 3,077,761*l.* 1*s.* 9*d.* to 3,589,459*l.* 15*s.* 6*d.*, to which, if the sum of 88,000*l.* be added, being the permanent appropriations, it will give a total estimated expenditure of 3,678,459*l.* 15*s.* 6*d.*, independently of a sum of 100,000*l.*, to be advanced as a loan to the commissioners of sewerage and water supply, pursuant to an Act passed in a former session, 16 Vict. No. 39, leaving the amount voted in excess of income by 898,959*l.* 15*s.* 6*d.* These increases were almost entirely originated by the elected members of the Legislative Council, but were for the most part adopted by the Government, who did not feel justified in opposing expenditure for purposes which they felt, if not absolutely necessary, to be still most desirable.

7. Towards meeting the deficiency, the Legislative Council passed a resolution authorizing the Executive to borrow a sum not exceeding 500,000*l.* towards the construction of public works; and it may be considered that, with this, no difficulty will be experienced in carrying out all such appropriations as the present prospects of the supply of labour render at all practicable. A portion of this expense is likewise to be defrayed by authorizing the commissioners of water and sewerage in Melbourne to borrow for the purposes of the Act incorporating them.

8. Here it may be right to point out, that although not included in the Appropriation Act, the following works were strongly recommended by the Legislature, and and authority given to the executive to carry them out, the expenses of which it was intended should be defrayed by loans, but which it is not probable may be acted on during the current year:—

(1.) An increase in the amount advanced to the commissioners for sewerage and water supply for Melbourne, from 100,000*l.* to 300,000*l.*

(2.) A similar expenditure, but not so large an amount, for the town of Geelong.

(3.) The construction of a railway from Melbourne to Williamstown.

9. The general scheme having been thus explained, it is proper to examine the items of the Appropriation Act, and the following general remarks, applicable to the greater number of the heads of expenditure, are submitted.

First:—Another increase in the rates of salary and allowances has been found necessary, and was carried by a large majority of the Council. Some salaries, to which no increase was proposed by the Executive, were increased by the House against the wish of the Government members. Instead of granting a fixed salary only, it has been considered advisable to propose that allowances for house rent should be, as a temporary measure, made to all officers not housed at the public expense. It was the general opinion that the extraordinary rates of house rent current when the estimates were prepared would not be permanent, and that less difficulty would be experienced in reducing this allowance than in effecting a proportionate reduction in all salaries when these rates might fall. This arrangement met with the concurrence of Council.

The general rates of salaries, including the allowance for house rent, are as follows:—

To heads of departments - - - -	£1,500 to £2,000
To superior officers - - - - -	900 to 1,200
To clerks - - - - - - -	300 to 900

To persons employed by the day, or receiving daily pay, from 10*s.* to 15*s.* a day.

The first of these classes receive about twice the rates of salary paid in former times to officers of the same rank in New South Wales, the second and third about three times those salaries, the fourth about four times.

It may be safely stated that the average cost of living has in no rank of society been less than trebled.

Second:—The increased duties of every department called for an increase in the staff of the public service. The total number employed is no doubt large, but it is rendered necessary, partly by the nature of the population to be governed, partly by the wide extent over which that population is scattered.

10. The items of the Act which require special notice are,—

1st. Sec. 2 and 3 provide again, as in 1853, for the deficiency in the Schedule Fund. The success of the county court system, and the extension of the general sessions, required a considerable increase on the former appropriations. These are generally adopted by the Council without objection.

2d. Sec. 4. The total cost of collecting the revenue of customs, pilotage, and tonnage is estimated at 98,836*l.* 5*s.*, or less than 8½ per cent on a revenue of 1,176,000*l.*

3d. Sec. 5. The original estimates for the gold commission were reduced by the Council to the extent of 21,000*l.* It is to be feared that this was an unwise economy, probably involving a loss of revenue to a larger amount.

4th. Sec. 6. The original estimate for the post office was raised by the Council from 139,000*l.* to 150,000*l.*: this increase chiefly consisted of additions to the salaries of the officers in that establishment in Melbourne and Geelong.

5th. Sec. 7. The sum asked for the departments of ports and harbours was voted on the understanding that the arrangements shown in the estimates would

VICTORIA.

be superseded (so far as pilotage was concerned,) by a system analogous to that in force in Britain, and that a tonnage duty would be imposed on shipping. Acts to carry out this understanding were passed in a subsequent part of the session.

6th. Sec. 7. The expenses of the ordinary police force were voted to the extent of 738,557*l.*, making, with the sums granted for buildings and the proportion of the vote for transport, a total charge of 850,000*l.*, being an increase on the sums proposed by Government of 68,000*l.*, the rate of daily pay for ordinary constables being raised from 8*s.* to 10*s.*, besides quarters, rations, and clothing, or allowances in lieu of them. The increase of pay was made for the purpose of inducing the men to enlist for three years, thus ensuring a higher state of discipline.

The total number of men voted is about 2,150, being the number thought requisite by the Legislative Council; the number actually enrolled is only 1,639.

7th. Sec. 9. Several additional courts of petty sessions were authorized to be established; the total number of these is now 41. Provision has been made for all the commissioners of Crown Lands (except for the county of Bourke) under the title of stipendiary magistrates.

8th. Sec. 11. The steady and fearful increase in the number of criminals sentenced to hard labour has necessitated the appropriation of 159,355*l.* 10*s.* for the establishments connected with stockades and hulks. Estimating the number of prisoners at 1,075, the average cost per head is 125*l.*

9th. Sec. 13. Full provision has been made by this clause, and by the resolutions adopted by the Council for the whole of the forces, including the general's staff, and the enrolled pensioners, proposed to be employed in the colony.

10th. Sec. 14. The large amount proposed to be spent in public works and buildings, 1,431,000*l.*, nearly one half the whole available revenue, has caused the disparity between the revenue and its appropriation. This was found necessary from the extraordinary growth of the colony during the past year, creating a necessity for this outlay. Under this head it may be observed (1) that 556,000*l.* is to be applied to roads and bridges (not including streets, &c.) As the amount expended in 1853 on these works did not exceed 520,000*l.*, the activity of this department will not be lessened. (2) That 100,000*l.* is appropriated to the improvement of Melbourne and Geelong. Of this, 35,000*l.* is the annual grant to the corporations of those towns, secured to them by a subsequent Act for twenty-one years, upon which they have been authorized to raise by loan 700,000*l.*, without any further guarantee from Government, but with several safeguards to protect the Government and the lenders from loss. (3) That 144,000*l.* is granted for the improvement of the ports. Very much more is requisite, and would be spent; but that a Bill for levying wharfage dues, as a nucleus for great and permanent works in connexion with the harbours, was rejected during the session. (4) That additional sums of 60,000*l.* and 80,000*l.* have been voted towards building Government House and House of Legislature, the first being estimated to cost about 100,000*l.*, the latter 250,000*l.* The other items included under this head do not appear to call for special notice.

11th. Sec. 16. The sum granted for public education, 140,000*l.*, is an evidence that amidst the material prosperity of the country, higher objects are not entirely lost sight of; but it is to be regretted that the measure introduced to regulate the distribution of this grant was unpalatable to the parties holding extreme and opposite views on the educational question, and in consequence withdrawn.

12th. Sec. 19. The experiment of the electric telegraph between Melbourne and Williamstown having entirely succeeded, above 11,000*l.* has been voted for its extension to Geelong and the heads of Port Phillip.

13th. Sec. 22. The miscellaneous estimates contain two votes of much importance: 5,000*l.* to meet the expenses of taking the census, and 30,000*l.* for the encouragement of regular postal communication.

14th. Sec. 24. The supplementary charge for the year 1853 amounts to 1,062,916*l.* 3*s.* The principal items were:—

	£	*s.*	*d.*
Police force	253,257	5	0
Public works	343,763	17	9
Public buildings	217,475	14	10
Military	49,824	15	8
Penal	25,702	12	0
Educational	20,000	0	0
Amounting in all to	910,024	5	3

In addition to the above, 39,395*l.* was appropriated as allowances to public officers, according to the scale for the year 1854, during the six last months of the preceding year.

The great improvements in the efficiency of the police force, and the undoubted increase in the security to life and property, appeared to the Council sufficient to warrant the great additions to the force which had been authorized by the Governor. The greater part of the additional works and buildings for which provision was asked had been urgently called for, and were fully required.

The increase in the military vote consisted in the amounts required for the mounted company of the 40th regiment, and the pay of additional troops summoned from Van Diemen's Land in the month of September.

The vote in aid of the appropriations for penal establishments was deemed to have been warranted by the unexpected increase in the number of prisoners.

The educational vote consisted of two grants of 10,000*l.* each to the Boards of National and Denominational Education.

I have, &c.
(Signed) C. J. LATROBE.

The Duke of Newcastle,
&c. &c. &c.

No. 14.

No. 14.

Copy of a DESPATCH from Lieutenant-Governor Latrobe to the Duke of Newcastle.

(No. 67.)

Melbourne, May 4, 1854.
(Received August 8, 1854.)

My Lord Duke,

1. I have the honour to forward the enclosed Return with reference to the state of crime in this colony at the present moment.

2. It is satisfactory to me to remark that it affords evident proof of diminution both in number and weight, at the same time that it must be admitted that it must be admitted that the police has become much more efficient in detecting offenders.

3. I have reason to believe that, as this statement comprises an arrear of cases held over, at Castlemaine more particularly, from previous adjourned sessions, the next return (in June) may show a still greater abatement of the evil.

I have, &c.
(Signed) C. J. LATROBE.

The Duke of Newcastle,
&c. &c. &c.

Enclosure 1 in No. 14.

RETURN of the Disposal of Persons brought before the Supreme and Circuit Courts in the Colony of Victoria. 1854.

Nature of Offence.	Melbourne. March. Convicted.	Acquitted.	Discharged from Absence of Witnesses.	Remanded.	Total.	Melbourne. April. Convicted.	Acquitted.	Discharged from Absence of Witnesses.	Remanded.	Total.
Murder	–	2	–	–	2	–	–	–	–	–
Manslaughter	1	–	–	1	2	1	2	–	–	3
Wounding with intent to murder	2	–	–	–	2	–	1	–	–	1
Robbery with violence	1	–	–	–	1	1	–	–	–	1
Robbery in company	3	2	2	3	10	–	–	1	–	1
Assault in company with intent to rob	–	–	–	–	–	2	–	–	–	2
Rape	–	–	–	–	–	–	–	–	–	–
Assault with intent to commit a rape	–	–	–	–	–	–	–	–	1	1
Sodomy	–	–	–	–	–	–	–	–	–	–
Stealing in a dwelling house to the value of 5*l.*	1	–	–	–	1	1	–	–	1	2
Stealing from the person	1	1	–	–	2	–	–	–	–	–
Horse stealing	3	1	–	–	4	4	1	–	–	5
Cattle stealing	–	4	–	–	4	1	–	–	–	1
Burglary	1	1	–	–	2	–	–	–	–	–
Found by night in a dwelling house without lawful excuse	–	–	–	–	–	–	–	–	–	–
Arson	–	–	–	–	–	–	1	–	–	1
Exposure and desertion of an infant, endangering life	1	–	–	–	1	–	–	–	–	–
Maliciously wounding	–	–	–	–	–	–	1	–	–	1
Maliciously wounding cattle	1	–	–	–	1	–	1	–	–	1
Uttering counterfeit coin	2	–	–	–	2	–	2	–	–	2
Forgery	1	–	–	–	1	–	–	–	–	–
Obtaining money under false pretences	–	–	–	–	–	–	–	–	–	–
Receiving stolen goods	–	–	–	–	–	–	–	–	–	–
Perjury	–	1	–	–	1	1	–	–	–	–
Personation: exhibiting as his own another's gold license	–	–	–	–	–	–	–	–	–	–
Rescue	–	–	–	–	–	–	–	–	–	–
Larceny	1	1	1	1	4	1	–	–	–	1
Totals	19	13	3	5	40	11	9	1	2	23
Decrease at second sitting	–	–	–	–		–	–	–	–	17

Nature of Offence.	Geelong. February. Convicted.	Acquitted.	Discharged from Absence of Witnesses.	Remanded.	Total.	Geelong. April. Convicted.	Acquitted.	Discharged from Absence of Witnesses.	Remanded.	Total.
Murder	–	2	–	–	2	–	–	–	–	–
Manslaughter	5	2	–	–	7	–	–	–	–	–
Wounding with intent to murder	–	–	–	–	–	–	–	–	–	–
Robbery with violence	–	–	–	–	–	–	–	–	–	–
Robbery in company	1	–	3	–	4	1	–	–	–	1
Assault in company with intent to rob	–	–	–	–	–	–	–	–	–	–
Rape	–	–	–	–	–	–	–	–	–	–
Assault with intent to commit a rape	1	–	–	–	1	–	–	–	–	–
Sodomy	–	–	–	–	–	–	–	–	–	–
Stealing in a dwelling house to the value of 5*l.*	2	2	–	–	4	–	–	–	–	–
Stealing from the person	1	2	–	–	3	–	–	–	–	–
Horse stealing	–	1	–	–	1	–	–	–	–	–
Cattle stealing	1	–	–	–	1	–	–	–	–	–
Burglary	–	1	–	–	1	–	–	–	–	–
Found by night in a dwelling house without lawful excuse	–	–	–	–	–	–	–	–	–	–
Arson	–	–	–	–	–	–	1	–	–	1
Exposure and desertion of an infant, endangering life	–	–	–	–	–	–	–	–	–	–
Maliciously wounding	1	–	–	–	1	–	–	–	–	–
Maliciously wounding cattle	–	–	–	–	–	1	–	–	–	1
Uttering counterfeit coin	–	–	–	–	–	–	–	–	–	–
Forgery	–	–	–	–	–	1	–	–	–	1
Obtaining money under false pretences	–	–	–	1	1	1	–	–	–	1
Receiving stolen goods	–	1	–	–	–	–	–	–	–	–
Perjury	–	–	1	–	–	–	1	–	1	2
Personation: exhibiting as his own another's gold license	–	–	–	–	–	–	–	–	–	–
Rescue	–	–	–	–	–	–	–	–	–	–
Larceny	4	1	–	–	5	1	–	–	–	1
Totals	16	12	4	1	33	5	2	–	1	8
Decrease at second sitting	–	–	–	–		–	–	–	–	25

Nature of Offence.	Castlemaine. February. Convicted.	Acquitted.	Discharged from Absence of Witnesses.	Remanded.	Total.	Castlemaine. April. Convicted.	Acquitted.	Discharged from Absence of Witnesses.	Remanded.	Total.
Murder	–	–	–	–	–	1	–	–	–	1
Manslaughter	–	–	–	–	–	–	–	–	–	–
Wounding with intent to murder	1	–	–	–	1	–	1	–	–	1
Robbery with violence	–	–	–	–	–	–	–	–	–	–
Robbery in company	1	1	–	3	5	6	5	2	3	16
Assault in company with intent to rob	–	–	–	–	–	–	–	–	–	–
Rape	–	–	–	1	1	–	1	–	–	1
Assault with intent to commit a rape	–	–	–	–	–	–	–	–	–	–
Sodomy	–	–	–	1	1	1	–	–	–	1
Stealing in a dwelling house to the value of 5*l.*	2	–	–	2	4	4	1	–	1	6
Stealing from the person	1	2	–	2	5	1	2	2	–	5
Horse stealing	–	2	–	–	5	3	–	–	1	4
Cattle stealing	3	–	–	–	–	–	–	–	–	–
Burglary	–	–	–	–	–	1	–	–	–	1
Found by night in a dwelling house without lawful excuse	–	–	–	1	1	–	1	–	–	1
Arson	–	–	–	–	–	–	–	–	–	–
Exposure and desertion of an infant, endangering life	–	–	–	–	–	–	–	–	–	–
Maliciously wounding	–	–	–	1	1	1	–	–	1	2
Maliciously wounding cattle	–	–	–	–	–	–	–	–	–	–
Uttering counterfeit coin	–	–	–	–	–	–	–	–	–	–
Forgery	–	–	–	–	–	–	–	–	–	–
Obtaining money under false pretences	–	–	–	–	–	–	–	–	–	–
Receiving stolen goods	–	–	–	–	–	–	–	–	–	–
Perjury	–	–	–	–	–	–	–	–	1	1
Personation: exhibiting as his own another's gold license	1	–	–	1	2	1	–	1	1	3
Rescue	–	–	–	1	1	–	–	–	1	1
Larceny	2	–	–	3	5	9	7	3	2	21
Totals	11	5	–	16	32	28	18	8	11	65
Decrease at second sitting	–	–	–	–	–	–	–	–	–	–

Nature of Offence.	Portland. November. Convicted.	Acquitted.	Discharged from Absence of Witnesses.	Remanded.	Total.	Portland. April. Convicted.	Acquitted.	Discharged from Absence of Witnesses.	Remanded.	Total.
Murder	–	–	–	–	–	–	–	–	–	–
Manslaughter	–	–	–	–	–	1	–	–	–	1
Wounding with intent to murder	–	–	–	–	–	–	–	–	–	–
Robbery with violence	–	1	–	–	1	–	–	–	–	–
Robbery in company	1	–	–	–	1	–	–	–	–	–
Assault in company with intent to rob	–	–	–	–	–	–	–	–	–	–
Rape	–	–	–	–	–	–	–	–	–	–
Assault with intent to commit a rape	–	–	–	–	–	–	–	–	–	–
Sodomy	–	–	–	–	–	–	–	–	–	–
Stealing in a dwelling house to the value of 5*l.*	–	–	–	–	–	–	–	–	–	–
Stealing from the person	–	–	–	–	–	–	–	–	–	–
Horse stealing	–	–	–	–	1	–	–	–	–	–
Cattle stealing	–	–	–	–	–	–	–	–	–	–
Burglary	–	–	–	–	1	–	–	–	–	–
Found by night in a dwelling house without lawful excuse	–	–	–	–	–	–	–	–	–	–
Arson	–	–	–	–	–	–	–	–	–	–
Exposure and desertion of an infant, endangering life	–	–	–	–	–	–	–	–	–	–
Maliciously wounding	–	–	–	–	–	–	–	–	–	–
Maliciously wounding cattle	–	–	–	–	–	–	–	–	–	–
Uttering counterfeit coin	–	–	–	–	1	–	–	–	–	–
Forgery	–	–	–	–	–	–	–	–	–	–
Obtaining money under false pretences	–	1	–	–	–	–	–	–	–	–
Receiving stolen goods	1	–	–	–	–	–	–	–	–	–
Perjury	–	–	–	–	1	–	–	–	–	1
Personation: exhibiting as his own another's gold license	–	–	–	–	–	–	–	–	–	–
Rescue	–	–	–	–	–	–	–	–	–	–
Larceny	1	–	–	–	1	–	1	–	–	1
Totals	4	3	–	–	7	2	1	–	–	3
Decrease at second sitting	–	–	–	–		–	–	–	–	4

Enclosure 2 in No. 14.

RETURN of Persons brought before the Courts of General Sessions of the Peace in VICTORIA, First and Second Sittings, 1854.

Nature of Offence.	Melbourne.								Geelong.							
	2d Feb.				28th Feb.				20th Feb.				21st Mar.			
	Convicted.	Acquitted.	Remanded.	Total.	Convicted.	Acquitted.	Remanded.	Total.	Convicted.	Acquitted.	Remanded.	Total.	Convicted.	Acquitted.	Remanded.	Total.
Assault	5	5	-	10	1	1	-	2	-	-	-	-	-	-	-	2
Wounding maliciously	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Stabbing with intent, &c.	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
Manslaughter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Assault with intent to rob	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Stealing from the person	2	-	-	2	1	-	-	1	-	-	-	3	-	-	-	1
Stealing from dwelling house to value of 5*l.*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Stealing in a dwelling house	1	-	-	1	-	-	-	-	-	-	-	1	-	-	-	-
Larceny	8	1	1	10	4	3	-	7	-	-	-	2	-	-	-	2
Embezzlement	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
Housebreaking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Compounding felony	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
Horse-stealing	-	1	-	1	-	-	-	-	-	-	-	1	-	-	-	-
Receiving stolen goods	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Breach of prison	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Damaging a ship	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
Totals	17	7	1	25	6	4	-	10	-	-	-	10	-	-	-	8
Decrease at second sitting	-			-			-	15	-			-			-	2

Nature of Offence.	Sandhurst.								Heathcote.							
	1st Feb.				20th Mar.				7th Feb.				25th Mar.			
	Convicted.	Acquitted.	Remanded.	Total.	Convicted.	Acquitted.	Remanded.	Total.	Convicted.	Acquitted.	Remanded.	Total.	Convicted.	Acquitted.	Remanded.	Total.
Assault	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wounding maliciously	2	-	-	2	1	-	-	1	-	-	-	-	-	-	-	-
Stabbing with intent, &c.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Manslaughter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Assault with intent to rob	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
Stealing from the person	-	-	1	1	-	1	-	1	-	-	-	-	-	-	-	-
Stealing from dwelling house to value of 5*l.*	2	-	2	4	-	-	-	-	-	-	-	-	-	-	-	-
Stealing in a dwelling house	-	-	-	-	1	3	-	4	-	-	-	-	-	-	-	-
Larceny	4	1	1	6	-	1	-	1	-	1	-	1	-	-	-	-
Embezzlement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Housebreaking	-	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-
Compounding felony	-	1	-	1	2	-	-	2	2	1	1	4	1	-	-	1
Horse-stealing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Receiving stolen goods	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Breach of prison	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Damaging a ship	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Totals	9	3	4	16	4	5	-	9	2	2	1	5	1	-	-	1
Decrease at second sitting	-			-			-	7	-			-			-	4

Nature of Offence.	Beechworth.								Kilmore.							
	16th Feb.				4th April.				27th Feb.				15th April.			
	Convicted.	Acquitted.	Remanded.	Total.	Convicted.	Acquitted.	Remanded.	Total.	Convicted.	Acquitted.	Remanded.	Total.	Convicted.	Acquitted.	Remanded.	Total.
Assault	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wounding maliciously	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-	-
Stabbing with intent, &c.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Manslaughter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Assault with intent to rob	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	-	1		1	-	1	-	1	1	-	1	2	1	1	-	2
Stealing from the person	-	1	-	1	1	-	-	1	-	-	1	1	-	1	-	1
Stealing from dwelling house to value of 5*l.*	-	-	-	-	1	2	-	3	1	-	-	1	-	-	-	-
Stealing in a dwelling house	-	-	1	1	-	1	1	2	-	-	-	-	-	-	-	-
Larceny	-	-	-	-	-	-	-	-	1		1	2	-	1	-	1
Embezzlement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Housebreaking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Compounding felony	-	-	1	1	1	2	1	4	-	-	-	-	-	1	-	1
Horse-stealing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Receiving stolen goods	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-	-
Breach of prison	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Damaging a ship	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Totals	-	2	2	* 4	5	6	2	* 13	3	-	3	6	1	4	-	5
Decrease at second sitting	-			-				-	-			-			-	1

Nature of Offence.	Buninyong and Ballarat.							
	30th Jan.				17th Mar.			
	Convicted.	Acquitted.	Remanded.	Total.	Convicted.	Acquitted.	Remanded.	Total.
Assault	1	-	-	1	-	-	-	-
Wounding maliciously	1	1	-	2	-	-	-	-
Stabbing with intent, &c.	-	-	-	-	-	-	-	-
Manslaughter	1	-	-	1	-	-	-	-
Assault with intent to rob	-	-	-	-	-	-	-	-
Robbery	2	1	-	3	-	1	-	1
Stealing from the person	1	-	-	1	-	2	-	2
Stealing from dwelling house to value of 5*l.*	-	4	-	4	-	-	-	-
Stealing in a dwelling house	-	-	-	-	-	-	-	-
Larceny	-	2	-	2	3	1	-	4
Embezzlement	-	-	-	-	-	-	-	-
Housebreaking	-	-	-	-	-	-	-	-
Compounding felony	1	-	-	1	-	-	-	-
Horse-stealing	-	1	-	1	-	-	-	-
Receiving stolen goods	-	-	-	-	-	-	-	-
Breach of prison	-	-	-	-	-	-	-	-
Damaging a ship	-	-	-	-	-	-	-	-
Totals	7	9	-	16	3	4	-	7
Decrease at second sitting	-			-			-	9

* The increase in the number of prisoners tried at the second sitting at Beechworth does not indicate an increase of crime, but represents crime, latent before, which, by the establishment of a Court in that remote district, has been brought to justice.

VICTORIA.

No. 15.

No. 15.

COPY of a DESPATCH from Lieutenant-Governor Sir CHARLES HOTHAM to the Duke of NEWCASTLE.

(No. 87.) Toorac, near Melbourne, July 17, 1854.

MY LORD DUKE, (Received, October 6, 1853.)

(Answered No. 34, October 25, 1854. Page 177.)

THE information which is contained in the police magistrate and resident commissioners letters, dated "Sandhurst, June 29, 1854," arrived too late to enable me to transport a body of police from the capital in time for the movement intended for the 4th of July; I was therefore compelled to reply, as by my letters marked Nos. 3 and 4.

2. The indignation which I am told the North Americans expressed at the anniversary of their independence having been selected for the disturbance, compelled the leaders to postpone the meeting until the 8th, which gave me sufficient leisure to increase the police force on that Gold Field by fifty (50) mounted troopers.

3. I am happy to inform your Grace that the great object for which the meeting was contemplated, viz., expelling the Chinese population by force from the Gold Fields, ended in complete discomfiture; the good sense of the community suffocated the schemes of a few discontented and factious individuals, and the services of the police seem in no way to have been needed.

4. Nevertheless, I am convinced that a demonstration of the intentions of Government to maintain order and suppress riot at any price will not be without its adequate effect. The inhabitants of Castlemaine, distant twenty-five miles from Sandhurst, placed their horses and carts unreservedly at the disposal of the police, and the same good feeling was everywhere apparent.

5. Peace and quiet are thus for the moment preserved, but the immense influx of Chinese which I am told hangs over us, requires other and more durable measures, and to the solution of this difficulty I propose to address myself, when I can find leisure, amongst the multitude of subjects which herd upon me.

I have, &c.

The Duke of Newcastle, (Signed) CHARLES HOTHAM.
&c. &c. &c.

Encl. 1. in No. 15.

Enclosure 1 in No. 15.

Police Office, Sandhurst,
29th June 1854.

SIR,

I HAVE the honour to enclose you a copy of the "Bendigo Advertiser," and beg to call your attention to the paragraph marked A, relative to a meeting which was held on Saturday the 24th June inst., in the vicinity of this camp.

2. On perusing the paragraph, I thought it advisable to have a personal interview with Denovan, who had convened the meeting, and I accordingly sent to him to request that he would meet me without delay at the police court house. On his arrival I read him the paragraph above alluded to and asked him if he made use of that language at the meeting; his reply was, that his speech was falsely reported, and that he never made use of any such language.

3. After having explained to him the dangerous course he was pursuing by collecting a crowd of persons calculated to disturb the public peace, he denied that the meeting had been convened for any other purpose than that of forming a prospecting party, and stated that in the event of any rising among the diggers taking place on the 4th of July next, he would have nothing whatever to do with it, and that he would go to his work on that day as usual; he added, "I can answer for myself, but I cannot answer for other people."

4. I then asked him why he had introduced into his speech anything relating to the Chinese population on the Gold Fields, and what grievances he or the diggers had to complain of; he replied, that the principal annoyance was not that the Chinese had muddied the water, but that the true grievance was the great diminution in the yield of gold, and that the large influx of Chinese emigrants would be the means of lowering the price of labour, which the diggers would not agree to.

After fully considering the explanations he had given, I deemed it unnecessary to detain him in custody, being quite satisfied I could have him apprehended at any moment.

5. Since my interview with Denovan I have seen several respectable parties, amongst others the Wesleyan Minister, Mr. Rasden, and Mr. Emmett, and have satisfied myself as to the likelihood of a breach of the peace taking place on the 4th of July.

The result of my inquiries is, that I believe that a Dr. Wall, one of the diggers' "delegates," has been one of the principal movers in this matter, and that he is using

Denovan as a tool. Wall was a principal mover in the anti-licence agitation in September last, and he has ever since been a turbulent and discontented person.

6. I shall take all due precaution to put down any riotous assembly which may collect on the 4th July, and will see that no unnecessary force is used.

7. I consider this a matter of sufficient importance to communicate to you, and shall be glad to receive any directions or orders you may be pleased to give.

I post this communication, believing that it will reach you earlier than if sent by a messenger.

I have, &c.
(Signed) L. MACLACHLAN,
Police Magistrate.

The Hon. the Colonial Secretary,
Melbourne.

Enclosure 2 in No. 15.

Encl. 2 in No. 15.

Resident Commissioner's Office,
Sandhurst, June 29, 1854.

SIR,

I HAVE the honour to report for your information, that some sensation has been caused on this Gold Field, in consequence of the proceedings which took place at the public meeting alluded to by me in the tenth paragraph of my last report.

2. I have ascertained that the meeting, which was convened by a Mr. Denovan, purported to take into consideration the project of forming prospecting parties for the discovery of a new Gold Field.

3. Mr. Denovan at first addressed the meeting on the above subject at considerable length, but as his auditors did not enter so cordially into his views as he had anticipated, the meeting was adjourned until the 8th proximo. He then drew their attention to the "nuisance" that the Chinese population on the Gold Fields had become to the European miners from their pilfering habits, and the manner in which they spoiled the washing water in the different gullies; he concluded his speech, as I was informed, by proposing "That a general and unanimous rising should take place in the various gullies of Bendigo "on the 4th July next ensuing, for the purpose of driving the Chinese population off the "Bendigo Gold Fields." This proposition it would seem met with a favourable reception from the meeting generally, and it was ultimately decided that this expulsion should take place on the 4th of July, "being the anniversary of American independence." I have subsequently been informed by persons present that many attended, attracted either by the prospecting scheme, or the novelty of the public meeting, but who had no intention of carrying out the proposal, or the smallest sympathy with the movement, with respect to the Chinese.

4. I have this day conversed with several of the American residents here, who have unanimously expressed their indignation that this day should have been selected for the enforcement of such a proposal.

5. On the above proceedings coming to my knowledge, I immediately consulted with Mr. M'Lachlan, the Police Magistrate, on the subject, and suggested that Mr. Denovan should be immediately arrested, to which he acquiesced, but ultimately on re-consideration he thought the most prudent course was to send for Mr. Denovan and reason with him on the impropriety and illegality of his proceedings; this was accordingly done, and from the accompanying copy of Mr. Denovan's statement, you will observe he denies ever having made such a proposition.

6. Although from my knowledge of the inhabitants here, I apprehend no unpleasant results from the above proposition, still I deemed it my duty to post printed placards throughout the diggings, a copy of which is attached, calling upon the residents to maintain peace and good order, and informing them that I had instructed the Commissioners to protect and secure the miners from encroachment and the waste of water which the Chinese, from their ignorance of our customs and the regulations of the mines, may be guilty of, and I am induced to believe that this appeal to the residents will have the desired effect.

7. Honqua, a Chinaman, accompanied by another of his countrymen, waited on me to day for the purpose of ascertaining how their countrymen were to act in case of an attack being made upon them by the European population. I directed them to select from amongst their countrymen all those who understood the English language and to station one or more of them in each of the several gullies, where any number of the Chinese population were at work, and to direct these men on the slightest sign of an attack being made upon their countrymen, immediately to lose no time in giving information to the police, strong patrols of which it is my intention to have perambulating the Gold Fields whilst such disturbances are contemplated.

8. This afternoon a placard, copy of which is enclosed, was posted throughout the diggings, signed by Mr. Denovan, stating that a false report had appeared in the columns of the Advertiser, injurious to his personal liberty; he requested the diggers to remain quiet on the 4th of July, and to wait until the 8th, when a large meeting was to be held

See Encl. 5.

VICTORIA.

at Vilio point for the purpose of electing prospecting parties, at the close of which the Chinese question would be fully discussed.

9. Although I do not contemplate that any breach of the peace will be the result of this agitation, still I deem it my duty to report the circumstances fully to you, and at the same time to inform you that I am fully prepared to meet the occasion, should anything of the sort be attempted.

10. With respect to forming prospecting parties, I have the honour to inform you, that for the last two weeks I have had three parties employed in different localities of this Gold Field in testing the auriferous qualities of the soil, and I have every reason to believe from the attempts already made that the search will prove successful. As an inducement for those employed to persevere, I have received donations from several gentlemen interested in the project to defray part of their expenses, and I have also taken upon myself the liberty of promising them a double in claim the event of their success.

I have, &c.
(Signed) J. A. PANTON,
Resident Commissioner.

The Chief Commissioner of the Gold Fields,
Melbourne.

Encl. 3 in No. 15

Enclosure 3 in No. 15.

NOTES from a conversation between the Police Magistrate, Sandhurst, and Mr. Denovan relative to prospecting parties, and the grievances against the Chinese inhabitants of the district.

Question by Mr. M'Lachlan.

Is this statement, which is published in the "Bendigo Advertiser" of the 27th inst., relative to the election of prospecting parties, correct?

Answer.—The report as read by you is far from the words as I used them; it is falsely reported.

Question.—Do you intend to take any share in the proceedings on the 4th of July next?

Answer.—I shall not take any part in the proceedings; I shall go to my work as usual on the 4th July next. I can answer for myself, but I cannot answer for other people.

Question.—What was the reason that the subject of the grievances against the Chinese was brought forward at a meeting convened apparently for the object of forming prospecting parties?

Answer.—The grievance was not the Chinese having muddied the water; the principal grievance was the great diminution in the yield of gold, and, moreover, that the influx of such a number of Chinamen will lower the price of labour, and they will not be allowed to work at a low price.

Encl. 4 in No. 15

Enclosure 4 in No. 15.

V. R.

NOTICE.—The presence of large bodies of Chinese on the Bendigo Gold Fields having become, as I am informed, a cause of dissatisfaction among the miners, and attempts having been made by public meetings and other means to increase this feeling of dissatisfaction, which may lead to disturb that peace and good order which has happily for so long a time prevailed in this district, I feel it my duty to call on all the residents of this Gold Field to uphold the peace and good order, and to discountenance any attempt to increase this feeling of dissatisfaction with the Chinese, and at the same time I wish to inform the public that I have taken means and instructed the Commissioners to protect and secure the miners against encroachment or waste of water, which, from ignorance of the customs and regulations on the mines, the Chinese may occasion.

J. A. PANTON,
Resident Commissioner.

Sandhurst, June 28, 1854.

Encl. 5 in No. 15

Enclosure 5 in No. 15.

PUBLIC NOTICE.

Brother Diggers,—As a false report has appeared in the columns of the "Advertiser" injurious to my personal liberty, relative to the Chinese question, I call upon the diggers throughout Bendigo to refrain from taking any steps against the Chinese on the

4th of July; a monster meeting is to be called on the 8th for the purpose of electing prospecting parties (of which due notice will be given), at the close of which the Chinese question will be fully discussed, and both sides will obtain a fair hearing.

I have the honour to be, brother diggers,
Your most obedient servant,
(Signed) WM D. C. DENOVAN.

N.B.—Diggers, remain quiet on the 4th of July.

Enclosure 6 in No. 15.

Encl. 6 in No. 15

Colonial Secretary's Office,
Melbourne, July 3, 1854.

SIR,

IN acknowledgment of your letter of the 29th ultimo, enclosing a copy of the "Bendigo Advertiser" relative to a meeting which was held on the 24th of that month, I am directed by the Lieutenant-Governor to express to you his Excellency's surprise that you should have had any conversation with Mr. Denovan, or entered into any other communication with him beyond warning him of the consequences attending the course he proposed to pursue.

2. I am now directed to acquaint you that his Excellency's instructions to you are, that if more than twelve persons meet together on the 4th July, and commit a breach of the peace, you read the Riot Act, and request them to disperse. In the event of their not doing so you will immediately arrest the ringleaders.

3. Should there be sufficient evidence you will commit them for trial at Melbourne, for unlawfully assembling, or being guilty of a riot, as the case may be,

4. Even should Mr. Denovan not be present at any unlawful meeting, you may commit him for inciting to unlawfully assemble, his previous speech being sufficient evidence of his intentions.

Further instructions will be sent to you for your guidance for the 8th instant.

I have, &c.
(Signed) JOHN FOSTER.

The Police Magistrate,
Sandhurst.

Enclosure 7 in No. 15.

Encl. 7 in No. 15.

Colonial Secretary's Office,
July 4, 1854.

SIR,

IN reference to a letter received from you by the Chief Commissioner of the Gold Fields relative to a meeting proposed to be held at Sandhurst on the 8th inst., I am commanded by the Lieutenant-Governor to acquaint you that a police force of fifty men will be forthwith removed to Castlemaine, and that directions will be sent to the inspector of police to transport all his available force to the vicinity of Bendigo, or to the Gold Fields, as you may deem best.

If you still anticipate that a public meeting will be held on the 8th July for the purpose of expelling the Chinese from the Gold Fields, you will publish and circulate a notice of the nature enclosed; and should it appear that a breach of the peace is likely to ensue you will follow either of the courses which will be hereafter mentioned, selecting the first in order should circumstances warrant it.

You will proceed to the ground appointed for the meeting, and having a sufficient force in the immediate vicinity, (but if possible not in view,) you will warn any persons assembling of the illegality of their holding a meeting for such an object, caution them as to the consequences, and request them to disperse; should they not comply with your warning, and still persist in holding a meeting, you are to read the Riot Act, and declare that within a certain time you will be compelled to clear the ground.

But I must leave it to your discretion whether it would be more expedient to arrest the ringleaders, or to proceed to clear the ground at once.

2. But if in your judgment the latter course would seem to be advisable, then you will endeavour to get evidence sufficient to ensure the conviction of the ringleaders.

For this purpose it will be expedient to obtain, if possible, statements on oath that the object of the intended meeting was forcibly to expel the Chinese, as well as the belief of credible witnesses that violence would be perpetrated.

3. You will attend the meeting in person, and station intelligent men in whom you can place confidence in various places, and direct them to make notes or commit to memory any expressions calculated to excite the meeting to commit a breach of the peace; they should also note the number of persons who bear arms, and estimate the size of the meeting, with the flags, or banners, or devices.

Having obtained all possible information from these men, you will cause the immediate arrest of the ringleaders, and take the usual steps for committing them for trial at Melbourne.

VICTORIA.

Finally, you will remember that his Excellency holds you responsible for the preservation of peace in your district, and I have pleasure in adding that the perusal of the notice which you issued on the 28th ult. gives him reason to place confidence in your ability and judgment.

I have, &c.
(Signed) J. FOSTER.

The Resident Commissioner,
Sandhurst.

No. 16.

No. 16.

COPY of a DESPATCH from Lieutenant-Governor Sir CHARLES HOTHAM to the Duke of NEWCASTLE.

(No. 91.) Toorac, near Melbourne, July 21, 1854.
(Received Oct. 16, 1854.)

MY LORD DUKE,

I HAVE the honour to forward for your Grace's information the usual returns from the Gold Fields for the two months ending the 30th June 1854.

I have, &c.
(Signed) CHAS. HOTHAM.

His Grace the Duke of Newcastle,
&c. &c. &c.

Encls. in No. 16.

Enclosures in No. 16.

GOLD RETURNS contained in the Lieutenant-Governor's Despatch, No. 31, of date 21st July 1854.

May and June 1854.

No. 1.—Return of the Number of Licences issued at the various Gold Fields of this colony -
No. 2.—Return of Gold transmitted by Government Escort from the various Workings -
No. 3.—Return of the Amount received as Fees for Licences issued - - -
No. 4.—Return of the Amount received as Fees for the Escort of Gold - - -
No. 5.—Return of Sales by tender of Government Gold - - - -
No. 6.—Return of the Amount received as Fees for the Custody of Gold - - -
No. 6 a.—Comparative monthly Return of Gold received per Escort at the Gold Office during the six months ending the 30th June respectively, in the years 1852, 1853, and 1854 - - - - - - - -
No. 7.—Return of Gold exported - - - - - -
No. 8.—Return of the Receipt and Delivery of Gold forwarded by Government Escort -
No. 9.—Return of the Rates of Wages and Prices current on the various Gold Fields.*
No. 10.—Return of the Rates of Wages and Prices Current in Melbourne.*
No. 11.—Return of the Arrivals at and the Departures from this Colony by sea - -
No. 12.—Return of Vessels in Harbour Ports of Melbourne and Geelong on 1st July 1854.*
No. 13.—Return of Cases brought before the Circuit Court held at Castlemaine on 9th June 1854 - - - - - - - - -
No. 14.—Return of the estimated Population on the various Gold Fields - - -
No. 15.—Comparative Statement of the Population and Number of Licences issued quarterly from 1st January 1853, with the Amount of Revenue collected - - -

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* These voluminous Returns are not printed.

Enclosure 1 in No. 16.

RETURN of the Number of Licences to dig and search for Gold, and of Licences to carry on the Business of Storekeepers, issued at the various Gold Fields of this Colony during the Months of May and June 1854.

District.	May.							June.						
	Miners' Licences.				Storekeepers' Licences.			Miners' Licences.				Storekeepers' Licences.		
	Number of Licences issued for 1 Month at 1*l.*	Number of Licences issued for 3 Months at 2*l.*	Number of Licences issued for 6 Months at 4*l.*	Number of Licences issued for 12 Months at 8*l.*	Number of Licences issued for 3 Months at 15*l.*	Number of Licences issued for 6 Months at 25*l.*	Number of Licences issued for 12 Months at 50*l.*	Number of Licences issued for 1 Month at 1*l.*	Number of Licences issued for 3 Months at 2*l.*	Number of Licences issued for 6 Months at 4*l.*	Number of Licences issued for 12 Months at 8*l.*	Number of Licences issued for 3 Months at 15*l.*	Number of Licences issued for 6 Months at 25*l.*	Number of Licences issued for 12 Months at 50*l.*
Castlemaine -	1,682	3,128	1	8	69	15	1	955	3,276	1	15	46	8	1
Sandhurst -	1,602	3,276	4	2	25	9	- -	535	3,130	4	7	11	4	—
Ballarat -	531	1,934	2	1	86	22	- -	494	2,919	2	1	46	7	—
Beechworth -	261	406	1	- -	6	4	7	220	497	- -	6	- -	- -	1
Heathcot -	215	249	- -	- -	7	5	- -	130	272	- -	- -	3	1	—
Total -	4,291	8,993	8	11	193	55	8	2,334	10,094	7	29	106	20	2

NOTE.—In consequence of the Returns from the various Gold Fields being incomplete, this Return only contains an account for the following periods :—

Castlemaine - - - - - -	1st May to 17th June.
Sandhurst - - - - - -	1st „ 24th „
Ballarat - - - - - -	1st „ 24th „
Beechworth - - - - -	1st „ 24th „
Heathcote - - - - -	1st „ 30th „

Office of the Chief Commissioner of Gold Fields,
Melbourne, 8th July 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

VICTORIA.

No. 2.

RETURN of the Quantity of GOLD received at the Gold Offices, Melbourne and Geelong, by the Government Escorts from the various Gold Fields of this Colony during the Months of May and June 1854.

Date.	Private Gold. Melbourne. Quantity.	Private Gold. Melbourne. Money Value.*	Private Gold. Geelong. Quantity.	Private Gold. Geelong. Money Value.*	Total. Quantity.	Total. Money Value.*	Grand Total. Quantity.	Grand Total. Money Value.*
			CASTLEMAINE AND SANDHURST.					
	oz. dwt.	£ s. d.	oz. dwt.	£ s. d.	oz. dwt.	£ s. d.	oz. dwt.	£ s. d.
May 5	20,331 3	76,241 16 3	1,060 0	3,975 0 0	21,391 3	80,216 16 3		
„ 12	17,168 0	64,380 0 0	30 9	114 3 9	17,198 9	64,494 3 9		
„ 19	18,969 16	71,136 15 0	337 10	1,265 12 6	19,307 6	72,402 7 6		
„ 26	16,081 7	60,305 1 3	- -	- -	16,081 7	60,305 1 3		
June 2	16,641 19	62,407 6 3	967 10	3,628 2 6	17,609 9	66,035 8 9		
„ 9	18,876 19	70,788 11 3	- -	- -	18,876 19	70,788 11 3		
„ 16	21,903 1	82,136 8 9	1,622 0	6,082 10 0	23,525 1	88,218 18 9		
„ 23	18,875 8	70,782 15 0	- -	- -	18,875 8	70,782 15 0		
„ 30	26,243 5	98,412 3 9	341 10	1,280 12 6	26,584 15	99,692 16 3		
	175,090 18	656,590 17 6	4,358 19	16,346 1 3	179,449 17	672,936 18 9	179,449 17	672,936 18 9
			BALLARAT.					
May 5	3,370 5	12,638 8 9	6,167 15	23,129 1 3	9,538 0	35,767 10 0		
„ 12	5,531 0	20,741 5 0	9,343 10	35,038 2 6	14,874 10	55,779 7 6		
„ 19	3,828 10	14,356 17 6	14,173 10	53,150 12 6	18,002 0	67,507 10 0		
„ 26	4,165 10	15,695 12 6	12,271 10	46,018 2 6	16,457 0	61,713 15 0		
June 2	3,327 15	12,479 1 3	7,637 15	28,641 11 3	10,965 0	41,120 12 6		
„ 9	4,806 0	18,022 10 0	9,654 10	36,204 7 6	14,460 10	54,226 17 6		
„ 16	3,849 10	14,435 12 6	6,646 15	24,925 6 3	10,496 5	39,360 18 9		
„ 23	4,919 5	18,447 3 9	9,131 15	34,244 1 3	14,051 0	52,691 5 0		
„ 30	3,614 10	13,554 7 6	8,766 5	32,873 8 9	12,380 15	46,427 16 6		
	37,432 5	140,370 18 9	83,793 5	314,224 13 9	121,225 0	454,595 12 6	121,225 10	454,595 12 6
			BEECHWORTH.					
May 8	4,455 10	16,708 2 6	- -	- -	4,455 10	16,708 2 6		
„ 23	4,802 0	18,007 10 0	- -	- -	4,802 0	18,007 10 0		
June 5	4,637 10	17,390 12 6	- -	- -	4,637 10	17,390 12 6		
„ 19	3,721 10	13,955 12 6	- -	- -	3,721 10	13,955 12 6		
	17,616 10	66,061 17 6	- -	- -	17,616 10	66,061 17 6	17,616 10	66,061 17 6
			HEATHCOTE.					
May 8	650 0	2,437 10 0	- -	- -	650 0	2,437 10 0		
„ 23	843 0	3,161 5 0	- -	- -	843 0	3,161 5 0		
June 5	969 10	3,635 12 6	- -	- -	969 10	3,635 12 6		
„ 19	928 10	3,481 17 6	- -	- -	928 10	3,481 17 6	3,391 0	12,716 5 0
	3,391 0	12,716 5 0	- -	- -	3,391 0	12,716 5 0	321,682 17	1,206,310 13 9

* Money value, 3*l.* 15*s.* per oz.

Office of the Chief Commissioner of Gold Fields, Melbourne, 8th July 1854.

W. H. WRIGHT, Chief Commissioner of Gold Fields.

No. 3.

RETURN of the Amount of FEES received at this Office, per Escort, during the Months of May and June, being Payments on Account of Licences issued on the various Gold Fields of this Colony.

Date.	Where issued.	Gold.	Cash. £ s. d.	Total. £ s. d.
May - -	Castlemaine, Sandhurst, &c. -	- -	27,069 0 9	27,069 0 9
June -	Ditto - - -	- -	24,972 0 0	24,972 0 0
		—	52,041 0 9	52,041 0 9

Office of the Chief Commissioner of Gold Fields, Melbourne, 8th July 1854.

W. H. WRIGHT, Chief Commissioner of Gold Fields.

No. 4.

RETURN of the Amount of FEES received at the Gold Office, Melbourne and Geelong, on private Gold and Cash transmitted for Escort from the various Gold Fields of this Colony, and delivered to the Public during the Months of May and June 1854.

Date.	From whence.	Amount.		
		£	s.	d.
May - -	Castlemaine, Sandhurst, &c. - -	4,099	9	9
June - -	Ditto ditto - - -	6,884	1	3
		10,983	11	0

Office of the Chief Commissioner of Gold Fields, Melbourne, 8th July 1854.

W. H. WRIGHT, Chief Commissioner of Gold Fields.

No. 5.

RETURN of SALES by Tender of Government Gold, during the Months of May and June 1854.

Nil.

Office of the Chief Commissioners of Gold Fields, Melbourne, 8th July 1854.

W. H. WRIGHT, Chief Commissioner of Gold Fields.

No. 6.

RETURN of the Amount of FEES received during the Months of May and June 1854, on Gold and Cash deposited in the Gold Office, Melbourne, longer than one Month.

Date.	Number of Parcels.	Gold.	Office Fees.		
		ozs.	£	s.	d.
May - - -	151	6,299	334	9	2
June - - - -	117	3,629	250	7	7
Total -	268	9,918	584	16	9

Office of the Chief Commissioner of Gold Fields, Melbourne, 8th July 1854.

W. H. WRIGHT, Chief Commissioner of Gold Fields.

No. 6 A.

COMPARATIVE MONTHLY RETURN of GOLD received per Escort at the Gold Office, during the Six Months ending the 30th June respectively, in the Years 1852, 1853, and 1854.

Month.	1852.		1853.		1854.	
	ozs.	dwts.	ozs.	dwts.	ozs.	dwts.
January - -	51,801	0	99,171	11	98,772	11
February -	53,140	18	92,241	7	104,254	5
March - -	59,176	7	94,915	10	137,450	18
April - -	61,767	11	94,294	16	107,340	16
May - -	69,537	3	119,974	15	101,644	0
June - -	101,013	6	109,067	14	136,245	12
Totals -	396,436	5	610,295	13	685,708	2

	ozs.
Increase in 1853 - - - -	213,859
Increase in 1844 - - - -	75,412

12th July 1854.

(Signed) W. H. COPE, Gold Receiver.

VICTORIA.

No. 7.

RETURN of the Amount of GOLD exported from this Colony during the Months of May and June 1854.

Port of Shipment.	May.			June.			Total.		
	ozs.	*dwts.*	*grs.*	*ozs.*	*dwts.*	*grs.*	*ozs.*	*dwts.*	*grs.*
Melbourne - - - -	226,644	15	22	146,756	19	2	373,401	15	0
Geelong - - - -	10,501	0	0	-	-	-	40,170	13	0
	* 29,669	13	0						
Total -	266,815	8	22	146,756	19	2	413,572	8	0

* This amount was shipped in the month of March last, but not forwarded in time to this office to be incorporated in the last bi-monthly return.

HUGH C. E. CHILDERS.

No. 8.

MONTHLY RETURN of GOLD received on Private Account, May 1854.

	ozs.	*dwts.*
Balance on hand, 30th April - - - - -	53,313	15
Received from Mount Alexander - - - -	73,978	5
Ditto Ballarat - - - - - -	16,915	5
Ditto Beechworth - - - - -	9,257	10
Ditto Heathcote - - - - -	1,493	0
	154,957	15
Delivered to the Public - - -	127,561	14
	27,396	1
Sent to Geelong - - - -	1,430	19
Balance on hand, 31st May 1854 - -	25,965	2

May 1854. W. H. COPE, Gold Receiver.

MONTHLY RETURN of GOLD received on Private Account, June 1854.

	ozs.	*dwts.*
Balance on hand, 31st May - - - - -	25,965	2
eceived from Mount Alexander - - - -	105,471	12
Ditto Ballarat - - - - - -	20,517	0
Ditto Beechworth - - - - -	8,359	0
Ditto Heathcote - - - - -	1,898	0
	162,210	14
Delivered to the Public - - -	105,298	13
	56,912	1
Sent to Geelong - - - -	2,589	10
Balance on hand, 30th June 1854 - -	54,322	11

June 1854. W. H. COPE.

Nos. 9 & 10.

[RETURNS of Current Rates of Wages and Prices being extremely voluminous are not printed.]

No. 11.—Return showing the Number of Persons who have arrived and departed in and from the Colony of Victoria, by Sea, during the Month of May 1854.

ARRIVALS.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total to the Neighbouring Colonies. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total Souls.
Melbourne	888	161	68	5	296	92	61	5	592	154	56	9	21	–	–	–	1,797	407	185	19	373	432	135	19	1,264	16	3	1	3,434	855	323	39	4,651
Geelong	9	5	1	–	3	–	–	1	67	17	14	2	–	–	–	–	79	24	15	3	75	133	81	11	–	–	–	–	154	157	96	14	421
Other Ports	3	9	1	–	–	–	–	–	11	5	4	–	–	–	–	–	24	14	5	–	111	197	116	10	2	–	–	–	137	211	121	10	479
Total	910	175	70	5	299	94	61	6	670	176	74	11	21	–	–	–	1,900	445	205	22	559	762	332	40	1,266	16	3	1	3,725	1,223	540	63	5,551

DEPARTURES.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total from the Neighbouring Colonies. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total Souls.
Melbourne	816	107	42	4	262	46	28	2	402	89	45	5	34	14	25	2	1,514	256	140	13	267	105	89	7	64	13	6	–	1,845	374	235	20	2,474
Geelong	2	2	1	–	5	1	–	–	25	7	15	–	–	–	–	–	32	10	16	–	–	–	–	–	2	2	–	–	34	12	16	–	62
Other Ports	6	3	–	1	–	–	–	–	1	2	2	–	–	–	–	–	7	5	2	1	–	–	–	–	–	–	–	–	7	5	2	1	15
Total	824	112	43	5	267	47	28	2	428	98	62	5	34	14	25	2	1,553	271	158	14	267	105	89	7	66	15	6	–	1,886	391	253	21	2.551

Immigration Office, Melbourne,
5th June 1854.

Edward Bell,
Immigration Agent.

No. 11.—Return showing the Number of Persons who have arrived and departed in and from the Colony of Victoria, by Sea, during the Month of June 1854.

ARRIVALS.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total from the Neighbouring Colonies. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total Souls.
Melbourne -	608	134	53	8	230	65	35	6	388	69	34	3	57	14	20	2	1,281	282	142	19	1,512	632	374	56	56	4	3	–	2,849	918	519	75	4,361
Geelong -	6	–	–	–	4	4	5	–	58	19	16	2	–	–	–	–	68	23	21	2	161	362	125	35	–	–	–	–	229	385	146	37	797
Other Ports	7	6	–	–	–	–	–	–	12	4	2	1	–	–	–	–	19	10	2	1	7	8	5	–	–	–	–	–	26	18	7	1	52
Total -	619	140	53	8	234	69	40	6	458	92	52	6	57	14	20	2	1,368	315	165	22	1,680	1,002	504	91	56	4	3	–	3,104	1,321	672	113	5,210

DEPARTURES.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total from the Neighbouring Colonies. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total Souls.
Melbourne -	960	105	52	2	333	44	41	7	441	97	47	4	50	8	5	1	1,784	254	145	14	117	30	27	5	50	8	4	–	1,951	292	176	19	2,438
Geelong -	6	1	–	–	–	–	–	–	31	16	4	1	–	–	–	–	37	17	4	1	–	–	–	–	1	2	3	–	38	19	7	1	65
Other Ports	–	4	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	4	–	–	1	1	–	–	–	–	–	–	1	5	–	–	6
Total -	966	110	52	2	333	44	41	7	472	113	51	5	50	8	5	1	1,821	275	149	15	118	31	27	5	51	10	7	–	1,990	316	183	20	2,509

Immigration Office, Melbourne,
6th July 1854.

Edward Bell,
Immigration Agent.

No. 12.

RETURN of Vessels lying in Hobson's Bay on 1st July 1854.
[This voluminous Return is not printed.]

No. 13.

A RETURN of the Disposal of 59 Persons brought before the Criminal Circuit Court, Castlemaine, in the Colony of Victoria, for Trial 9th June 1854.

Offence.	Convicted.	Acquitted.	Discharged from Absence of Witnesses.	Remanded to next Session.	Total.
Murder	-	-	-	1	1
Manslaughter	1	1	-	-	2
Robbery in company, or being armed	1	-	3	-	4
Stealing in a dwelling house to the value of 5*l.*	3	3	1	-	7
Stealing from the person	2	2	-	-	4
Horse stealing	9	-	1	-	10
Cattle stealing	1	-	-	-	1
Child stealing	1	1	-	-	2
Stealing earth containing gold	1	-	-	-	1
Larceny	9	4	2	1	16
Uttering forged notes, &c.	1	-	-	-	1
Assault	3	-	-	-	3
Maliciously wounding	1	-	-	1	2
Rescue	-	-	-	1	1
Personation—exhibiting as his own a gold licence belonging to another	-	-	-	1	1
Obtaining money under false pretences	2	1	-	-	3
	35	12	7	5	59

SENTENCES.

12 years on roads of the colony, two first in irons	1
10 do. do. two do.	1
10 do. do.	2
9 do. do.	3
8 do. do.	1
7 do. do.	4
6 do. do.	2
5 do. do.	3
4 do. do.	1
3 do. do.	3
2 do. do.	2
20 months do.	2
9 do. do.	2
6 do. do.	1
2 years imprisonment	1
6 months do.	2
3 do. do.	1
1 week do.	1
Fined	2
	35

HENRY F. GUINER, Crown Solicitor.

No. 14.

RETURN of the estimated Population on the various Gold Fields of the Colony, on 24th June 1854.

District.	Men.	Women.	Children.	Total.
Castlemain	34,410	6,110	8,300	48,820
Sandhurst	21,000	5,050	4,950	31,000
Ballarat	18,680	4,700	4,150	27,530
Beechworth	2,820	450	570	3,840
Heathcote	3,400	900	700	5,000
Total	80,310	17,210	18,670	116,190

Office of Chief Commissioner of Gold Fields,
Melbourne, 8th July 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 15.

COMPARATIVE STATEMENT of the Population and Numbers of Licences issued Quarterly, from the 1st January 1853, on the various Gold Fields of this Colony, together with the Amount of Revenue collected.

For the Quarter ending 31st March 1853.

Average monthly Population: Male Adults.	Locality.	Number of Licences issued for 1 Month at 30s.	Aggregate Amount of Revenue received.	Number of Horses-power of Machinery employed.
			£ s. d.	
17,666	Castlemaine - - -	49,920	74,880 0 0	No information in this office.
16,466	Sandhurst - - -	42,970	64,455 0 0	
7,400	Ballarat - - -	18,268	27,402 0 0	
6,000	Beechworth - - -	17,022	25,533 0 0	
—	Heathcote.	—	—	
47,532	Total - - -	128,180	192,270 0 0	

For the Quarter ending 30th June 1853.

Average monthly Population: Male Adults.	Locality.	Number of Licences issued for 1 Month at 30s.	Aggregate Amount of Revenue received.	Number of Horses-power of Machinery employed.
			£ s. d.	
13,983	Castlemaine - - -	30,452	45,678 0 0	No information in this office.
21,000	Sandhurst - - -	56,951	85,426 10 0	
7,000	Ballarat - - - -	17,822	26,733 0 0	
2,600	Beechworth - - -	5,805	8,707 10 0	
12,000	Heathcote* - - -	11,374	17,061 0 0	
56,583	Total - - -	122,404	183,606 0 0	

For the Quarter ending 30th September 1853.

Average monthly Population: Male Adults.	Locality.	Number of Licences issued.			Total.	Aggregate Amount of Revenue received.	Number of Horses-power of Machinery employed.
		At 10s.	For 1 Month at 30s.	For 3 Months at 40s.			
						£ s. d.	
12,553	Castlemaine	4,250	19,806	4,004	23,810	39,842 0 0	No information in this office.
20,933	Sandhurst -	1,831	32,303	8,867	41,170	67,104 0 0	
6,966	Ballarat -	3,010	13,983	1,360	15,343	25,199 10 0	
2,976	Beechworth	852	7,605	400	8,005	12,633 10 0	
6,533	Heathcote -	237	8,237	219	8,456	12,912 0 0	
49,961	Total -	10,180	81,934	14,850	96,784	157,691 0 0	

The Temporary Mining Act came into operation on the 1st September 1853, and in consequence of which, persons having taken out licences for one month during the period between the 24th August and the 30th November were allowed licences for the whole of that period on payment of the additional sum of 10s. In the column of totals these licences become merged with those issued at 40s., to which class they belong.

For the Quarter ending 31st December 1853.

Average monthly Population: Male Adults.	Locality.	Number of Licences issued				Total.	Aggregate Amount of Revenue received.	Number of Horses-power of Machinery employed.
		At 10s.	For 1 Month at 20s.	For 1 Month at 30s.	For 3 Months at 40s.			
							£ s.	
17,103	Castlemaine	1,435	2,966	1,245	14,896	19,107	35,343 0	No information in this office.
16,600	Sandhurst -	1,261	1,410	439	14,081	15,930	30,861 0	
11,530	Ballarat -	2,520	707	574	8,331	9,612	19,490 0	
5,613	Beechworth	1,701	589	384	4,740	5,713	11,495 10	
5,233	Heathcote -	636	294	199	2,512	3,005	5,934 10	
56,079	Total -	7,553	5,966	2,841	44,560	53,367	103,124 0	

On the 1st December 1853 the Act for the better Management of the Gold Fields came into operation, authorizing the issue of licences for the period of one, three, six, and twelve months.

Office of Chief Commissioner of Gold Fields,
Melbourne, 19th July 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

Comparative Statement of the Population and Number of Licences issued Quarterly, from the 1st January 1853, on the various Gold Fields of the Colony, &c.—*continued.*

For the Quarter ending 31st March 1854.

Average Monthly Population. Male Adults.	Locality.	Number of Miners' Licenses issued. For 1 Month, at £1.	For 3 Months, at £2.	For 6 Months, at £4.	For 12 Months at £8.	Number of Storekeepers' Licenses issued. For 3 Months, at £15.	For 6 Months, at £25.	For 12 Months, at £50.	Total Number of Licences issued.	Aggregate Amount of Revenue received.	Number of Horses Power of Machinery employed.	Comparison with the corresponding period of last year. Population. Increase.	Population. Decrease.	Number of Licences issued. Increase.	Number of Licences issued. Decrease.	Revenue collected for Licences issued. Increase.	Revenue collected for Licences issued. Decrease.
										£							£
21,208	Castlemaine -	4,099	11,125	- -	- -	251	139	- -	15,614	33,589	No information in this office.	3,542	- -	- -	34,306	- -	41,291
8,450	Sandhurst - -	1,674	7,064	15	3	92	163	- -	9,011	21,341		- -	8,016	- -	33,959	- -	43,114
16,673	Ballarat - -	2,260	7,854	5	- -	218	118	- -	10,455	24,208		9,273	- -	- -	7,813	- -	3,194
8,816	Beechworth -	1,189	2,045	- -	- -	38	36	- -	3,308	6,749		2,816	- -	- -	13,714	- -	18,784
2,723	Heathcote -	332	699	- -	- -	7	3	- -	1,041	1,910		2,723	- -	1,041	- -	1,910	—
57,870	Total -	9,554	28,787	20	3	606	459	—	39,429	87,797		18,354	8,016	1,041	89,792	1,910	106,383

For the Quarter ending 30th June 1854.

Average Monthly Population. Male Adults.	Locality.	Number of Miners' Licences issued. For 1 Month, at £1.	For 3 Months, at £2.	For 6 Months, at £4.	For 12 Months, at £8.	Number of Storekeepers' Licences issued. For 3 Months, at £15.	For 6 Months, at £25.	For 12 Months, at £50.	Total Number of Licences issued.	Aggregate Amount of Revenue received.	Number of Horses Power of Machinery employed.	Comparison with the corresponding Period of last Year. Population. Increase.	Population. Decrease.	Number of Licences issued. Increase.	Number of Licences issued. Decrease.	Revenue collected for Licences issued. Increase.	Revenue collected for Licences issued. Decrease.
										£						£	£
32,118	Castlemaine -	4,947	12,500	5	29	176	41	2	17,700	33,964	No information in this office.	18,135	- -	- -	12,752	- -	11,714 0
16,710	Sandhurst -	3,325	9,795	10	12	94	53	- -	13,289	25,786		- -	4,290	- -	43,662	- -	59,640 10
22,183	Ballarat - -	1,718	6,706	4	2	215	50	3	8,698	19,787		15,183	- -	- -	9,124	- -	6,946 0
2,945	Beechworth -	924	1,550	1	9	17	4	8	2,513	4,855		345	- -	- -	3,292	- -	3,852 10
3,166	Heathcote - -	633	925	- -	- -	18	13	- -	1,589	3,078		- -	8,834	- -	9,785	- -	13,983 0
77,122	Total -	11,547	31,476	20	52	520	161	13	43,789	87,470		33,663	13,124	- -	78,615	- -	96,136 0

Office of Chief Commissioner of Gold Fields,
Melbourne, 19th July 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

VICTORIA,

Despatches from the Secretary of State

THE DUKE OF NEWCASTLE.

No. 1.

COPY of a DESPATCH from the Duke of NEWCASTLE to Lieutenant-Governor Sir C. HOTHAM.

(No. 25.)

SIR, Downing Street, May 23, 1854.

WITH reference to your predecessor's Despatch, No. 28, of the 7th February,* I have to express to you my satisfaction at observing the diminution of crime exhibited in the Return which accompanies it of the cases tried and disposed of by the city police court of Melbourne during the six months ended 31st December 1853.

* Page 127.

I have, &c.

Lieutenant-Governor Sir C. Hotham, &c. &c. &c. (Signed) NEWCASTLE.

No. 2.

COPY of a DESPATCH from the Duke of NEWCASTLE to Lieutenant-Governor Sir C. HOTHAM.

(No. 32.)

SIR, Downing Street, June 5, 1854.

MY attention has been called to the circumstance that no direct confirmation was given to the several appointments in connexion with the Gold Fields which were reported in Mr. Latrobe's Despatch, No. 78* of 8th July 1852.

In order to set at rest any doubt upon that subject, it may be proper that I should intimate to you that Her Majesty has been pleased to confirm all those appointments; but as circumstances may have led to subsequent modifications in some of them, I have not considered it advisable that confirmatory warrants should be issued in the case of any of them, except that of the chief commissioner of the Gold Fields, Mr. Wright, which instrument I shall transmit to you in a separate despatch.

I have, &c.

Lieutenant-Governor Sir C. Hotham, &c. &c. &c. (Signed) NEWCASTLE.

No. 3.

COPY of a DESPATCH from the Duke of NEWCASTLE to Lieuteuant-Governor Sir C. HOTHAM.

(No. 33.)

SIR, Downing Street, June 5, 1854.

WITH reference to your predecessor's Despatch, No. 34, of the 14th March,* I have to inform you that it has given me much pleasure to receive the statement which accompanies it, respecting the introduction of the electric telegraph into the colony under your government and the proposed extension of the present line to the points specified.

* Page 129.

I have, &c.

Lieutenant-Governor Sir C. Hotham, &c. &c. &c. (Signed) NEWCASTLE.

* Page 218 of Papers relative to Gold Discoveries in Australia; presented by Her Majesty's command 28th February 1853.

No. 4.

Copy of a DESPATCH from the Right Hon. Sir G. Grey, Bart., to Lieutenant Governor Sir C. Hotham.

(No. 24.)

Sir, Downing Street, September 9, 1854.

I have received your predecessor's Despatch, No. 192* of the 10th of December last, enclosing copy of an Act of his Government, No. 4 of 1853, entitled "An Act for the better management of the Gold Fields in the Colony of Victoria," of which an authentic copy was subsequently transmitted by Mr. La-Trobe in his Despatch No. 65 of the 2d of May.† * Page 104. † Page 155.

In connexion with this Act I have also to acknowlege the receipt of Mr. La-Trobe's Despatch, No. 177‡ of the 17th of November 1853, enclosing the report of the select committee of the Legislative Council which was appointed to report upon the administration of the Gold Fields of Victoria. ‡ Page 91.

Having laid the Act in question before the Queen, I have to acquaint you that Her Majesty has been pleased to approve and allow the same.

You will accordingly communicate Her Majesty's decision to the inhabitants of the colony under your government by a Proclamation to be published in the usual and most authentic manner.

I have, &c.

Lieut.-Governor Sir C. Hotham, (Signed) G GREY.
&c. &c. &c.

No. 5.

Copy of a DSPATCH from the Right Hon. Sir G. Grey, Bart., to Lieutenant-Governor Sir C. Hotham.

(No. 34.)

Sir, Downing Street, 26th October 1854.

I have received your Despatch No. 87‖ of the 17th July last, reporting the steps you had taken for the purpose of suppressing a disturbance which was threatened in the Gold Fields, and which had for its object the expulsion by force of the Chinese part of the population. ‖ Page 162.

I have to express my approval of the prompt measures which were adopted by by you to repress any attempt to disturb the public peace, and the satisfaction with which I have read your report of the disposition evinced by the inhabitants of Castlemain to support the force employed for the maintenance of order.

I have, &c.,

Lieut.-Governor Sir C. Hotham, (Signed) G. GREY.
&c. &c. &c.

APPENDIX.

Appendix No. 1.

Appendix No. 1.
NEW SOUTH WALES.

NEW SOUTH WALES.

Referred to at page 21.

An Act to amend the Act for regulating the Management of the Gold Fields.

*No. 23. [Assented to 28th September 1853.]

Preamble, 16 Vict. No. 43.

Whereas an Act was passed in the last session of Council for regulating the management of the gold fields of New South Wales; and whereas it is expedient to amend the same in manner herein-after mentioned: Be it therefore enacted by his Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, as follows:—

Reduction of licence fee to 10s. per month for each license.

1. The 5th, 6th, and 7th sections of the said recited Act shall be, and the same are hereby repealed, and henceforth the licence fee to be paid for liberty to mine and dig for gold shall be the sum of ten shillings per calendar month for each individual licence, payable in advance.

Reduction of royalty on Crown lands to 3 per cent in the gross value of gold procured.

2. The amount of royalty to be reserved in cases where leases or licences shall be granted on the terms of paying a royalty in lieu of licence fee, shall, where the said lease or licence shall apply to, or affect any such lands of the Crown, be three per cent. on the value of the gross produce of gold procured from such lands at the fixed price of 3*l.* 10*s.* per ounce.

Reduction of fees and royalties on private land to one-half the amount required on Crown lands.

3. In cases in which any such licences or leases, as aforesaid, shall be granted for mining or digging for gold on lands belonging to private individuals, under grants thereof from the Crown, the fees and royalties respectively to be payable, shall be one half the amount hereby fixed in respect of licences and leases affecting Crown lands; and no such licence fee shall be demandable by the Crown from persons resident on and employed on such lands, and not directly engaged in mining and digging for gold therein.

Aliens admitted to privileges of British subjects in respect of gold mining.

4. The eighth section of the said recited Act, and so much of the second section thereof, as directly or impliedly restricts the provisions respectively therein contained to British subjects only shall be, and the same are hereby repealed; and from and after the passing hereof, until further order, all subjects and citizens of foreign states shall have the like privileges of working the gold mines and gold fields of the colony, and of employing themselves thereon, as now are, or hereafter may be, enjoyed by British subjects.

Clergymen, persons in the public service, schoolmasters, sick persons, and servants, not to be required to hold licences in respect of residence.

5. No licence shall be required to be held in respect of residence only, upon a gold field by any clergyman or other recognised minister of religion, or any commissioner for the gold fields or justice of the peace, or any clerk, trooper, constable, or other person employed exclusively in the Government service, or any schoolmaster or the wives and families of any such persons respectively, or the domestic or other servants of such last-mentioned persons, or of any persons following any trade, calling, or occupation other than that of gold mining, or any person to whom the resident commissioner shall think fit to grant a temporary exemption on account of sickness or accident; Provided that in the case of such servants their names and the names of their employers for the time being shall upon every change of service be furnished to the gold commissioner resident within their respective districts, who shall register such names accordingly, and shall deliver to each of such servants a registration ticket or certificate of such registration. And provided also, that such servants shall be bound to produce their respective registration tickets immediately on demand made by any such commissioner or any of his assistants, and shall on default in such production be liable to be apprehended and brought before a justice of the peace, and shall be dealt with as an unlicensed person, unless and until he shall prove himself to the satisfaction of such justice to be such domestic or other servant and to be duly registered as such.

Register tickets to be produced on pain of apprehension as for want of a licence.

Enactment as to runaway servants and apprentices repealed subject to a proviso.

6. The twelfth section of the said recited Act is hereby repealed: Provided, nevertheless, that upon any person holding a licence or lease under the said Act, being convicted in the due and ordinary course of law of having absconded from his hired service or apprenticeship, such licence or lease shall by force of such conviction be deemed to be forfeited and cancelled.

Licensed persons who have been apprehended for non production of licence to be discharged on payment of costs, as proof of being licensed.

7. The proviso to the twenty-third section of the said Act is hereby repealed, and in lieu thereof: Be it enacted, that any duly licensed person or registered servant who shall have been apprehended or charged as an unlicensed person, by reason of the nonproduction by him of his licence or registration ticket on demand, shall, on proof of his being duly licensed or registered as aforesaid, as the case may be, be discharged on payment only of such costs, if any, not exceeding twenty shillings, as the justices granting such discharge shall deem it reasonable to award.

Half-monthly licences discontinued.

8. The ninth section of the said Act is hereby repealed.

A single justice empowered to convict unlicensed persons.

9. One Justice of the Peace shall be competent to convict and award penalties under the seventeenth section of the said Act.

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* Her Majesty's approval of this Act conveyed by Sir George Grey's Despatch to Sir C. Fitzroy, dated 11th August, 1854. No. 26.

Appendix No. 1.

NEW SOUTH WALES.

10. The proviso contained in the thirty-fourth section of the said Act, whereby preliminary searches or examinations for the purpose merely of discovering gold in any locality are excepted out of the operation of the said Act, shall hereafter apply only in respect of such preliminary searches and examinations, when made by written licence, without fee, by some commissioner or assistant commissioner of the gold field nearest to the locality where such prospecting is to be permitted. Provided that any party having such licence to prospect may register with the commissioner of his gold field any number of claims not exceeding six, on payment of a registration fee of one pound for each claim so registered. Provided also, that such registration shall not hold good for more than two calendar months, unless such claims shall be worked in the mean time, and that all persons employed in working them shall be liable to pay the ordinary licence fee of ten shillings per month.

As to prospecting and claims of parties prospecting.

11. It shall be lawful for any justice of the peace before whom any person shall be convicted of having upon any gold field committed any offence against the provisions of the Vagrant Act passed in the fifteenth year of the reign of Her present Majesty, and numbered four to prohibit such person from remaining at, or returning to such gold field, and from coming to, or being at any other gold field, within a period of not exceeding twelve months thence next following: and if any such person shall after such prohibition remain at such gold field longer than shall be reasonably necessary for preparing to remove therefrom, or shall return thereto, or come to or be at any other gold field during such term of prohibition, he shall be deemed a rogue and vagabond within the meaning of the said Vagrant Act, and shall be liable to be dealt with accordingly.

Persons convicted under Vagrant Act may be excluded from gold fields for twelve months.

12. And to facilitate the establishment of licensed public houses on the gold fields, Be it enacted that it shall be lawful for the Governor at any time on the recommendation of one gold commissioner and of one justice of the peace, other than such commissioner, to direct that a publican's licence for any place on a gold field be issued to the person so recommended upon his entering into the recognizances, and paying the duty required by the Licensed Publicans Act; and in such cases it shall be in the discretion of such commissioner and justice to exempt the licensed person from providing the whole or such part as they shall think fit of the accommodation required by law to be provided for the public convenience in ordinary licensed public houses.

Facilities for establishment and control of licensed public houses on the gold fields.

13. This Act shall commence and take effect from and after the first day of October in the present year.

Passed the Legislative Council this 27th day of September 1853.

CHARLES NICHOLSON,
Speaker.

WM. MACPHERSON,
Clerk of the Council.

In the name and on behalf of Her Majesty I assent to this Act.

CHARLES A. FITZROY.
Governor General.

Government House,
Sydney, 28th September 1853.

APPENDIX No. 2.

VICTORIA.

Appendix No. 2.

VICTORIA.

No. 1.

* AN ACT to alter an Act intituled "An Act to restrain by summary proceeding unathorized "Mining on Waste Lands of the Crown." [Assented to 14th September 1853.]

* Referred to at page 155.

WHEREAS by an Act of the Lieutenant-Governor and Legislative Council of the colony of Victoria passed in the fifteenth year of the reign of Her present Majesty Queen Victoria, intituled "An Act to restrain by summary proceedings unauthorized mining on waste "lands of the Crown," provision was made respecting the mining or digging for ore on waste lands of the Crown without a licence or authority from the Lieutenant-Governor of the said colony in conformity with the Government regulations in such case made and provided, or any future regulations to be made or provided not increasing the amount of fee rent or return payable at the time of passing the said Act: And whereas since the passing the said Act Her Majesty Queen Victoria has been graciously pleased to place at the disposal of the Lieutenant-Governor and Legislative Council for the public service of the said colony the revenue to be derived from the Gold Mines and Gold Fields thereof, and to authorize the Lieutenant-Governor and Legislative Council to determine with Her Majesty's assent the mode of raising a revenue therefrom and the amount to be paid upon the working thereof: And whereas it is expedient to alter the said Act for a limited time: Be it therefore enacted by his Excellency the Lieutenant-Governor of the said colony of Victoria, by and with the advice and consent of the Legislative Council thereof, as follows,—

Preamble.

15 Vict. No. 15.

I. It shall be lawful for the Lieutenant-Governor of the said colony, in lieu of issuing any licence or authority in accordance with the regulations referred to in the said Act, to issue licences to mine or dig for gold for a period of three months from the first day of

Lieutenant Governor may issue a licence to mine for three months from 1st September.

* This Act is repealed by the Act No. 4. of 1853, (see next page), "For the better Management of the Gold Fields in the Colony of Victoria."

Appendix No. 2.

VICTORIA.

September one thousand eight hundred and fifty-three, upon payment of a fee of forty shillings to be applied for the public service of the said colony; and every such licence shall be deemed a licence or authority within the terms of the said Act: provided that any person having paid the proper sum for a licence issued under the existing regulations for the said month of September shall receive credit therefore on account of any licence to be issued under the provisions hereof, and payment of every such sum shall be deemed a part payment of the said sum of forty shillings; provided that nothing herein contained shall prevent the Lieutenant-Governor of the said colony from issuing the usual monthly licence under the said regulations to any person who may demand the same.

One Justice may act unless objected to.

II. All the powers and jurisdiction which under the provisions of the said Act may be had and exercised by two or more justices of the peace shall and may after the passing of this Act be had and exercised in like manner by one justice only, unless the party proceeded against shall object to such exercise of power and jurisdiction by one justice alone.

Appendix No. 3.

Appendix No. 3.

No. IV.

*An Act for the better management of the Gold Fields in the colony of Victoria.

[Assented to 1st December 1853.]

* Referred to at page 104.

Preamble.

Whereas it is expedient to make provision for the better management of the Gold Fields in the colony of Victoria: Be it therefore enacted by his Excellency the Lieutenant-Governor of the said colony of Victoria, by and with the advice and consent of the Legislative Council thereof, as follows,

Repeal of 15 Vict. No. 15.

And of 17 Vict. No. 1.

I. An Act of the Lieutenant-Governor and Legislative Council of the said colony of Victoria, passed in the fifteenth year of the reign of Her present Majesty Queen Victoria, intituled "An Act to restrain by summary proceeding unauthorized mining on waste lands of the Crown," and an Act of the Lieutenant-Governor and Legislative Council of the said colony, passed in the present session of the said Legislative Council intituled "An Act to alter an "Act intituled 'An Act to restrain by summary proceeding unauthorized mining on waste "lands of the Crown,'" shall be and the same are hereby repealed.

Power for Lieutenant-Governor to issue licences.

II. It shall be lawful for the Lieutenant-Governor of the said colony, subject to the provisions hereof, and to the rules to be made as herein-after provided, to cause licences to be issued, which shall be in force for the periods of one month, three, six, or twelve months from the dates thereof respectively; and every such licence shall during the time therein expressed authorize the holder to mine for gold upon any waste lands of the Crown, or upon such lands alienated by the Crown as may be particularly mentioned therein; and the holder of any such licence, subject to the provisions and rules aforesaid, shall during the continuance thereof be deemed in law to be the owner (except as against Her Majesty only) of the claim (not being at any time more than one) which shall be occupied by virtue of such licence and during such continuance as aforesaid all gold then being in and upon the said claim (not being at any time more than one, occupied as aforesaid,) shall, except as against Her Majesty, be deemed in law to be the absolute personal property of such holder.

Fees payable for licences.

III. The fees to be paid for any licence, with reference to the period for which the same shall be issued as aforesaid, shall be the following, that is to say:—

For one month - - - - -	one pound.
For three months - - - - -	two pounds.
For six months - - - - -	four pounds.
For twelve months - - - - -	eight pounds.

Power for Lieutenant-Governor to issue licences to carry on business.

IV. It shall be lawful for the Lieutenant-Governor, subject to the provisions hereof and to such rules as aforesaid, to cause licences to be issued which shall be in force for the period of three, six, and twelve months from the dates thereof respectively; and every such licence shall during the time therein expressed authorize the holder to carry on the business of a storekeeper upon any Gold Field on any waste lands of the Crown; and the fees to be paid for any such last-mentioned licence, with reference to the periods for which the same shall be issued as last aforesaid, shall be the following, that is to say:—

For three months - - - -	fifteen pounds.
For six months - - - -	twenty-five pounds.
For twelve months - - - -	fifty pounds.

Fees payable in advance, &c.

V. All such fees as herein-before mentioned shall be payable in advance, and shall be paid to Her Majesty, her heirs and successors, to be applied to the public uses of the said colony, and in support of the government thereof.

Leases of auriferous lands.

VI. It shall be lawful for the Lieutenant-Governor, subject to and in accordance with the laws in force respecting waste lands of the Crown, and the provisions of this Act, and the rules to be made as herein-after provided, to grant leases or licences for mining purposes of portions of auriferous lands.

Amount of royalty.

VII. The amount of royalty to be reserved in cases where any lease shall be granted on the terms of paying a royalty shall be not less than one twentieth part of the gross produce of gold procured from such lands.

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* Her Majesty's confirmation of this Act conveyed by Sir G. Grey's Despatch, No. 34., 9th September 1854.

VIII. The several commissioners of Crown lands shall, within their respective districts, have full power, subject to the provisions hereof and the rules to be made as herein-after provided, to determine the extent and position of each licensed person's claim, and to mark the same.

Commissioners may define claims.

IX. Any person, not being the holder of a lease or licence under this Act, who shall mine, or employ any other person to mine, or who shall be in a mining partnership with any person who shall mine for gold in any land whatsoever in the colony of Victoria, and any person, not being the holder of a lease or licence duly empowering him in that behalf, and not being an authorized person within the meaning of this Act, who shall carry on or follow any business or become resident upon or at any of the Gold Mines or Gold Fields on waste lands of the Crown, shall be liable, on conviction before any two justices of the peace, to the penalties following, that is to say :—For the first offence a sum not exceeding five pounds, for the second offence a sum not exceeding fifteen pounds nor less than five pounds, and for the third and every subsequent offence a sum not exceeding thirty pounds nor less than fifteen pounds.

Penalties for mining or residing on gold fields without authority.

X. It shall be lawful for any commissioner of Crown lands, and his assistants, within the view of such commissioner, without warrant, to apprehend, and detain until he can be brought before any two justices of the peace, to be dealt with under this Act, any person whom he may find mining for gold or residing at or carrying on or following any business at any Gold Mines or Gold Fields on waste lands of the Crown, contrary to the provisions hereof.

Commissioner may apprehend persons, &c.

XI. It shall be lawful for any justice or commissioner of Crown lands to take sufficient bail from any person who may be apprehended as aforesaid, for his due appearance before any two justices, to answer any charge to be made against him under this Act.

Bail may be taken for appearance.

XII. It shall be lawful for any such commissioner, upon the complaint of any person holding a lease or licence as aforesaid that any other person has encroached upon the claim of the complainant, to proceed forthwith to the spot, and to inquire into the case, and on his own view or upon oath (which oath he is hereby empowered to administer) to determine the same in a summary way. And if it shall appear to such commissioner that the person complained against has so encroached by occupying, mining, digging, or undermining such claim, or in any other manner whatsoever, it shall be lawful for such commissioner to cause the person so found encroaching as aforesaid, his servants, implements, goods and chattels, to be removed from the claim so encroached upon. And any person found guilty of encroaching as aforesaid shall, upon conviction before any two justices of the peace, for the first offence be subject and liable, in the discretion of such justices, to a penalty not exceeding ten pounds, or to imprisonment with hard labour for any period not exceeding two months, and for a second or any subsequent offence to imprisonment with hard labour for any period not exceeding six months.

Commissioners may decide cases of encroachment.

XIII. If any person shall resist such commissioner or his assistants, or prevent him or them from causing such person so found encroaching, his servants, implements, goods and chattels, to be removed as aforesaid, or shall, after such commissioner shall have determined the matter of any such complaint, and pointed out the respective boundaries of the said parties, again encroach as aforesaid, such person so resisting such commissioner or his assistants, or so renewing such encroachment, shall, upon conviction thereof before any two justices of the peace, forfeit and pay for every such offence a sum not exceeding fifty pounds, or, in the discretion of such justices, be subject to imprisonment with hard labour for any period not exceeding six months.

Penalty for resisting Commissioner or renewing encroachment.

XIV. It shall be lawful for any two justices of the peace, upon the complaint of any person, being the holder of a lease or licence under this Act, that any other person has encroached or trespassed upon the claim of such holder, by occupying, mining, digging, or undermining as aforesaid, to hear and determine such complaint, and, in their discretion, to cause any gold which may have been taken or removed from such claim to be summarily seized, and delivered to such complainant; and if they shall be satisfied that such complainant has sustained any damage by reason of such encroachment or trespass, to assess the same, and, whether any such gold has been so seized or delivered or not, to award to such complainant such reasonable compensation, not exceeding two hundred pounds, to be paid by the person so having encroached or trespassed, as to the said justices shall seem meet, such sum to be recovered by distress and sale of the goods and chattels of such person in manner prescribed by law for the recovery of any sum adjudged by a justice as a pecuniary penalty or compensation.

Justices may award compensation for encroachment.

XV. It shall be lawful for any justice of the peace, upon complaint made by any holder of a lease or licence under this Act, that he is or has been (whilst such holder) engaged in a mining partnership with any other person, and that a balance is due to him on account thereof, or upon the application of any such holder so engaged in such partnership that the same may be dissolved, and that the sums respectively due to the several members thereof may be ascertained and paid, to procure or compel the appearance before any two justices of such members of the said partnership as shall appear necessary, and upon such appearance, or in default thereof after such process to procure and compel the same as aforesaid, or in the absence of such members as shall not appear to be necessary parties to such case, it shall be lawful for any two justices to inquire into and hear such complaint or application, provided that the balance or amount payable to any one partner does not exceed two hundred pounds, and order that such partnership shall be dissolved, and ascertain and determine the amount to be paid by any one member to any other member or members thereof, and to order that such amount so determined, together with reasonable costs, shall

Justices may adjudicate upon mining partnerships.

be paid, or to make such other order as to such justices shall seem meet. And such justice or justices shall and may have and exercise the same powers and authorities for compelling the appearance of any person, and enforcing the compliance with any order, or compelling payment of any sum thereby directed to be paid, and shall pursue as nearly as possible the same form and manner of proceeding, as are provided in such behalf respectively in the Statute of the Imperial Parliament passed in the eleventh and twelfth years of the reign of Her present Majesty queen Victoria, intituled "An Act to facilitate the performance of the "duties of justices of the peace out of sessions within England and Wales with respect to "summary convictions and orders," and any such order or adjudication shall be a bar to any further or other proceeding in any other court respecting such partnership, and may be pleaded in bar thereto.

False returns or concealment a misdemeanor.

XVI. If any person holding a lease or licence authorizing him to mine for gold shall by any fraudulent device or contrivance defraud or attempt to defraud Her Majesty, or any person authorized to receive the same, of any money or gold payable or reserved by such lease or licence, or shall conceal or make a false statement as to the amount of any gold procured by him, or falsify any accounts, with a fraudulent intent, such person shall be deemed guilty of a misdemeanor, and shall, on conviction thereof before any court of competent jurisdiction, be subject to fine and imprisonment, at the discretion of such court. And all officers and servants of such lessee or licensed person, and other persons whatsoever, who shall knowingly be concerned in any such fraud or attempted fraud, whether with or without the knowledge or concurrence of such lessee or licensed person, shall in like manner be deemed guilty of a misdemeanor, and shall, on conviction as aforesaid, be liable to the like punishment.

Forgery of lease or licence or personation, &c., a misdemeanor.

XVII. If any person shall fraudulently forge any such lease or licence as aforesaid, or shall fraudulently use, utter, or exhibit any such forged lease or licence, knowing the same to be forged, or if any person shall fraudulently personate any licensed person, or shall falsely or fraudulently represent that any servant or other person is an authorized person, within the meaning of this Act, or shall fraudulently use or exhibit as his own any licence belonging or granted to any other person, or shall use or exhibit as a valid lease or licence, any lease or licence which shall have expired, he shall be guilty of a misdemeanor, and shall, on conviction before any court of competent jurisdiction, be subject to fine or imprisonment, with or without hard labour, or to both at the discretion of such court.

Stealing gold, &c. felony.

XVIII. If any person shall steal, or shall sever or excavate, with intent to steal, any gold from any mine, bed or vein thereof, or if any person shall, with a fraudulent intent, take, remove, or conceal any gold found or being in any mine, bed or vein thereof, every such offender shall be guilty of felony, and on being convicted thereof shall be liable to be punished in the same manner as in the case of simple larceny.

Lieutenant Governor may make rules.

XIX. It shall be lawful for the Lieutenant-Governor, with the advice of the Executive Council, and in pursuance of the provisions hereof, from time to time to make such rules as shall appear necessary for regulating the form of leases and licences to be issued under this Act, and the mode, time, dates, and places of the issue thereof, and for prescribing the extent of ground which may at any time be occupied in one block by any person or number of persons, by virtue of any such licences or leases, and for determining on what conditions and for what terms such leases or licences shall be respectively granted, renewed, and forfeited, and the form thereof, and the mode of obtaining, transferring, or assigning the same, and of prohibiting any such transfer or assignment, and generally for the purpose of carrying the provisions of this Act into execution; and all rules heretofore made by the Lieutenant-Governor and Executive Council of the said colony respecting the issue of leases for mining purposes, or respecting any of the purposes aforesaid, shall have the force and effect of law, until repealed, altered, or amended by any rules to be made as aforesaid: Provided that every such rule already made or passed shall be laid before the Legislative Council at its present session, and every such rule hereafter to be made in pursuance of the provisions hereof, shall be published in the Government Gazette, and shall not be in force until thirty days after a copy thereof shall have been laid before the Legislative Council.

The royal prerogative not to be abridged.

XX. Nothing in this Act contained shall be deemed to abridge or control the prerogative, rights, and powers of Her Majesty the Queen in respect of the Gold Mines and Gold fields of the colony of Victoria, nor to abridge and control otherwise than by express terms or necessary or obvious inference, the powers and authorities conferred upon the commissioners of the Gold Fields appointed and acting as commissioners of Crown lands.

Mode of recovering penalties.

XXI. Whenever any penalty shall have been imposed under the provisions of this Act, and the person convicted shall not forthwith pay the same into the hands of the convicting justice or justices, it shall be lawful for such justice or justices to direct that such person be imprisoned, with or without hard labour, as he or they shall think fit, for a period not exceeding one month if the penalty shall not exceed five pounds, and for a period not exceeding two months nor less than one month if the penalty be above five pounds and not exceeding fifteen pounds, and for a period of not less than two months nor more than four months if the penalty be above fifteen pounds, unless such sums respectively shall be sooner paid.

XXII. All the powers and jurisdiction which may, under the provisions herein-before contained, except the fourteenth and fifteenth sections hereof, be had and exercised by two or more of the justices of the peace, shall and may be had and exercised in like manner by one justice only, unless the party proceeded against shall object to such exercise of power and jurisdiction by one justice alone.

One Justice may act unless objected to.

XXIII. All proceedings before any justice or justices, for any fine, penalty, forfeiture, or damage, under this Act, shall be had and taken in a summary way; and in any proceeding under this Act it shall not be necessary to lay or file any formal information; and the informer and parties interested may be admitted as witnessees; and no complaint, conviction, order for confiscation or forfeiture, or other proceeding before or by any justice or justices, under this Act, shall be quashed or set aside or deemed void or insufficient for want of form only, or be removed or removable, by certiorari or any other writ or process whatsoever, into the supreme court.

Proceedings to be taken in a summary way.

No certiorari.

XXIV. All fines and penalties received under this Act shall be paid, one moiety to the informer, and the other moiety to Her Majesty, her heirs and successors, for the public uses of the said colony and in support of the government thereof.

Appropriation of fines and penalties.

XXV. Any person ordered or adjudged to pay any fine, penalty, or forfeiture exceeding ten pounds, under the provisions of this Act, except the fourteenth and fifteenth sections hereof, who shall feel himself aggrieved by the judgment of the justice or justices adjudicating, may appeal from any such order or adjudication to the next court of general sessions of the peace which shall be held nearest to the place where such order or adjudication shall have been given or made, and the execution of every such order or adjudication so appealed from shall be suspended, in case such person shall, with one or more sufficient surety or sureties, immediately before such justice or justices enter into a recognizance to Her Majesty, her heirs and successors, in the penal sum of double the amount of such fine, penalty, or forfeiture, (which bond or recognizance every such justice is hereby authorized to take,) conditioned to prosecute such appeal with effect, and to be forthcoming to abide the determination of such court of general sessions, and pay such costs as the said court shall award, and such court is hereby authorized finally to hear and determine the matter of such appeal.

Appeal to general sessions.

XXVI. In the construction of this Act and the several provisions thereof the verb "mine" shall be understood to include any mode or method whatsoever whereby the soil or earth or any rock or stone may be disturbed, removed, carted, carried, washed, sifted, smelted, refined, crushed, or otherwise dealt with for the purpose of obtaining gold, whether the same may have been previously disturbed or not, as well as the appropriation of such gold by the finder thereof to his own use; provided that nothing in this Act contained shall be construed to extend to any preliminary search or examination commonly called "prospecting" for the purpose merely of discovering the presence of gold in any locality not worked or used as a Gold Field; the word "business" shall be taken to include any trade, calling, or occupation whatsoever; the word "gold" shall signify as well any gold as any earth, clay, quartz, stone, or other mineral containing gold, or having gold mixed in the substance thereof, or set apart for the purpose of extracting gold therefrom, the words "Gold Mines" and "Gold Fields" shall mean those parts of the waste lands of the Crown in the said colony on which any persons are actually engaged in mining for gold; the word "claim" shall mean the portion of land which each owner of a lease or licence shall be entitled to occupy or mine in by virtue of such licence; the words "mining partnership" shall mean and be limited to a partnership between working miners for mining for gold only; the word "storekeeper" shall mean any person who sells or deals wholesale or retail in any goods, wares, or merchandise not his own manufacture or the produce of his own labour; and the words "authorized persons" shall mean and include all holders of any licence or lease for pastoral purposes, all ministers of religion and schoolmasters, the servants of such holders, ministers, and schoolmasters, then residing with and being in their actual employment respectively, the servants residing with and being in the actual employment of the holder of a licence to carry on the business of a storekeeper, and all females, and all children under fourteen years of age, who shall only reside, but not mine for gold upon any Gold Field.

Interpretation of terms.

Appendix No. 4.

Appendix No. 4.

Referred to at page 155.

No. XXII.

*An Act for Electric Telegraphs. [Assented to 11th April 1854.]

Whereas it is expedient to provide for the construction, establishment, maintenance, and protection of lines of communication by Electric Telegraph in Victoria as herein-after contained; Be it therefore enacted by his Excellency the Lieutenant-Governor of Victoria, by and with the advice and consent of the Legislative Council thereof, as follows:

Preamble.

I. From and after the passing of this Act every line of communication by Electric Telegraph constructed or to be constructed in Victoria shall be under and subject to the several provisions of this Act and the several rules and regulations hereby authorized to be made as herein-after mentioned.

Present and future lines to be subject to this Act and rules to be made.

* Her Majesty's confirmation of this Act conveyed by Sir G. Grey's Despatch, No. 36., 4th November 1854.

VICTORIA.

Lieutenant Governor may appoint and remove superintendent and officers, &c.

II. It shall be lawful for the Lieutenant-Governor to appoint a proper person to superintend the construction, establishment, management, maintenance, and protection of lines of communication of Electric Telegraph, and such other officers, clerks, and servants as may be necessary, and such person, officers, clerks, and servants, from time to time to remove and appoint others in their stead.

Power to enter on and survey lands.

III. It shall be lawful for any person appointed by the Lieutenant-Governor, or acting under his authority for any of the purposes aforesaid, to enter into and upon any lands in Victoria and to survey and take levels of the same or any part thereof, and also to dig, cut, remove, and carry away any stone, soil, sand, gravel, and indigenous trees or timber suitable or necessary for the construction, formation, or maintenance of any such line of communication or any part thereof, or any other works belonging or in anywise appertaining to any such line.

Telegraph posts may be set up, &c.

IV. It shall be lawful for any such person to erect, set up, and maintain all masts or posts for the supporting of any cord or wire of any such line in or upon any of the lands of the Crown, any shore of the sea, and any road, and to make all needful and necessary excavations in the same for erecting or placing such masts or posts and also for laying down subterranean lines of communication. Provided that every cord or wire of any such line, if above the surface, crossing any road be placed at least eighteen feet from the ground, and that the free use and enjoyment of any road, and the navigation of any inlet, bay, river, creek, or lake over, along, across, or underneath which any such cord or wire or line of communication may pass, be not hindered or obstructed further than is absolutely necessary for the proper construction, establishment, and maintenance of any such line of communication.

Trees to be removed.

V. All trees and underwood shall be cut for the space of twenty feet on each side of any such line of communication by the proprietor of the lands upon which such trees and underwood may be, and in default thereof any such person may enter upon the said lands and cause the said trees and underwood to be cut, and this Act shall be sufficient to indemnify the said person and his servants, agents, and workmen, and all other persons whosoever, for what he or any of them shall do by virtue of the powers hereby granted.

Power for Lieutenant Governor to make rules, &c.

VI. It shall be lawful for the Lieutenant-Governor of the said colony, with the advice of the Executive Council thereof, to appoint the amount of fees, rates, or dues to be demanded or received for the transmission or conveyance of any despatch, message, or communication by means of any such line, and for the due delivery thereof respectively, and for copies of any such despatch, message, or communication, and also with the advice aforesaid to make rules and regulations for the transmission and conveyance of all despatches, messages, or communications by means of any such line and for the payment of such fees, rates, and dues, and generally for the conduct, management, working, and maintenance of any such line of communication, and any such fee, rate, or due, rule or regulation, to increase or lower, repeal, alter, or vary respectively; and appoint and make such others as may be deemed expedient: provided that a scale of all such fees, rates, and dues, and a copy of every such rule or regulation, shall be published in the Government Gazette; and a copy of every such scale of fees, rates, and dues, shall be laid before the Legislative Council if then sitting, or within one month after the commencement of the next ensuing session thereof if not then sitting.

Payment of rates, &c.

VII. All such fees, rates, and dues, so to be appointed as aforesaid, shall be paid to such person at such place and in such manner as may be directed in such rules and regulations as aforesaid, and in case of refusal or neglect of payment of any such fee, rate, or due, or any part thereof, on demand to the person appointed to receive the same, such person may sue for and recover the same in any court of competent jurisdiction.

Messages, &c. how to be transmitted.

VIII. It shall be the duty of any such person and of all officers, servants, or workmen employed in the working or operating of any such line of communication, to transmit all messages, despatches, or communications in the order in which they are received, under a penalty of not less than one pound nor exceeding fifty pounds: provided that any message in relation to the arrest of criminals, the discovery or prevention of crime, or any other matter connected with the administration of justice, and all Government messages or despatches, shall be transmitted in preference to any other message or despatch.

Penalty for injuring telegraph or works or stopping line, &c.

IX. Any person who shall wilfully injure, molest, or destroy any of the said wires, cords, insulations, posts, piers, abutments, apparatus, works, or lines of communication, or any part thereof, or the material or property relating thereto, or in any way disturb or obstruct or interrupt the free use or working of any such line of communication or any works incidental thereto or connected therewith or shall obstruct, hinder, or prevent the forming, constructing, completing, and maintaining any such line of communication or any part thereof, shall on conviction forfeit a sum not less than five pounds nor more than one hundred pounds, or be imprisoned with hard labour for any period not exceeding six calendar months at the discretion of the justices adjudicating.

Secresy.

X. Any officer, clerk, operative, or other person employed in the working of any such line as aforesaid, divulging the contents of any private or secret message, despatch, or communication transmitted or conveyed or to be transmitted or conveyed by any such line, shall on conviction, be liable to a fine not exceeding one hundred pounds, or be imprisoned with hard labour for any period not exceeding six months, at the discretion of the justices adjudicating; provided that nothing herein contained shall prevent the person duly authorized in that behalf from giving copies of any message, despatch, or communication.

XI. It shall be lawful for any person whosoever with or without warrant to apprehend any person who shall be found offending against any of the provisions of this Act, and to deliver him to some constable or to convey him before some justices of the peace, to be dealt with according to law, and any person resisting any person acting in execution of the provisions of this Act shall be liable on conviction to a penalty not exceeding twenty pounds, or to imprisonment with hard labour for any period not exceeding two months.

Apprehension of offenders.

XII. All proceedings under this Act shall be had and taken in a summary way, and no such proceedings shall be quashed for want of form or removed by certiorari or otherwise into the Supreme Court; and every conviction or commitment for any offence under this Act in which such offence shall be set forth in the words of the Act shall be valid and sufficient; and in any information or other proceeding it shall be sufficient to state any property of any such line as aforesaid, or any part thereof, or any work connected therewith, to belong to and to lay it in any such superintendent as aforesaid.

Want of form. No certiorari.

XIII. All fees, rates, and dues, received under the provisions hereof, shall be paid to Her Majesty, her heirs and successors, for the public uses of Victoria, and in support of the Government thereof, and all fines and penalties recovered under this Act shall be paid one half to Her Majesty, her heirs and successors, for the uses aforesaid, and the other half to the informer or party prosecuting, who shall in all cases be deemed a competent witness.

Appropriation.

XIV. Any person who shall feel himself aggrieved by the judgment of any justices adjudicating or before whom he was convicted may, in case of a pecuniary penalty exceeding ten pounds, or of imprisonment exceeding fourteen days, appeal from any such judgment or conviction to the next court of general sessions of the peace which shall be held nearest to the place where such judgment or conviction shall have been given or made, and the execution of every such judgment or conviction so appealed from shall be suspended in case such person shall with two or more sufficient sureties immediately before such justices enter into a bond or recognizance to Her Majesty, her heirs and successors, in such sum as such justices shall (having reference to the offence) consider reasonable, which bond or recognizance respectively such Justices are hereby authorized and required to take, and such bond or recognizance shall be conditioned to prosecute such appeal with effect, and to be forthcoming to abide the determination of the said court of general sessions, and to pay such costs as the said court shall award on such occasion, and such court of general sessions is hereby authorized and required to hear and determine the matter of the said appeal, and the decision of such Court shall be final to all intents and purposes.

Appeal.

XV. In the construction of the provisions of this Act the word "Road" shall mean any public or private road, highway, street, lane, square, or passage.

Interpretation clause.

Appendix No. 5.

Appendix No. 5.

SOUTH AUSTRALIA.

No. 12.

An Act* to authorize the sale of Gold and Gold Dust by the Colonial Treasurer.

[Assented to 3d Dec. 1853.]

Whereas large quantities of gold and gold dust have been, and may be hereafter, received at the office of the Colonial Treasurer, for divers persons who have not claimed the same, and it is expedient to provide for the sale of any such gold or gold dust as may remain unclaimed for the space of two years, and for the disposal of the proceeds thereof: Be it therefore enacted by the Lieutenant-Governor of South Australia, with the advice and consent of the Legislative Council thereof, as follows:

Preamble.

1. It shall be lawful for the Colonial Treasurer for the time being of the said Province, and he is hereby authorized and required to make sale and dispose of any gold or gold dust which, having been received at the office of the said Treasurer for the purpose of being delivered to any person, shall have remained unclaimed for the space of two years, and all moneys received by such Treasurer on account of any such sale shall be carried to the credit of the General Revenue of the said Province.

Colonial treasurer may sell gold or gold dust unclaimed for two years.

2. The Colonial Treasurer aforesaid shall keep distinct accounts of every parcel of gold or gold dust which shall have been so sold by him, and of the price realized thereby, and of all particulars relating thereto, and shall cause the same to be entered in a book to be kept for that purpose; and such book shall be open to inspection at all times during office hours upon payment of a fee of one shilling.

Accounts of sale to be entered in a book open for inspection.

3. It shall be lawful for the Colonial Treasure aforesaid, and he is hereby required, upon application and sufficient proof, to pay over the proceeds any of such gold or gold dust, after deducting all the expenses of and attending the transport, keeping, and sale thereof. to the person who would have been entitled to the same gold or gold dust if it had not been so sold.

Proceeds to be paid to party entitled.

(Signed) John Morphett, Speaker.

Passed the Legislative Council this first day of December, one thousand eight hundred and fifty-three.

(Signed) F. C. Singleton,
Clerk of the Legislative Council.

In the name and on the behalf of Her Majesty I assent to this Act.

(Signed) H. E. F. Young, Lieutenant-Governor.

Government House, Adelaide,
3d December 1853.

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* Her Majesty's confirmation of this Act conveyed by the Duke of Newcastle's Despatch, No. 20., of 11th April 1854.

Appendix No. 6.

VICTORIA.

Appendix No. 6.

Systematic Index of the Plants of Victoria, which were collected and examined between September 1852 and August 1853, by Dr. Ferdinand Mueller, Government Botanist, and referred to in Dr. Mueller's Report of 5th September 1853 at Page 98 of this Paper.

DICOTYLEDONEÆ.

THALAMIFLORÆ, CANDOLLE.

Ranunculaceæ, Jussieu.

Clematis, Linné
- C. microphylla — Candolle
- C. appendiculata — Ferd. Mueller

Ranunculus, Linné
- R. paucistamineus — Tausch
- R. Gunnianus — Hooker
- R. lappaceus — Smith
- R. glabrifolius — Hooker
- R. plebejus — R. Brown
- R. rivularis — Banks & Solander
- R. sessilliflorus — R. Brown

Dilleniaceæ, Candolle.

Pleurandra, Labillardière
- P. acicularis — Labillardière
- P. stricta — Candolle
- P. granitica — Fred. Mueller
- P. sericea — R. Brown
- P. parviflora — R Brown
- P. monodelpha — Ferd. Mueller

Hibbertia, Andrews
- H. pultenæiformis — Ferd. Mueller
- H. virgata — R. Brown
- H. angustifolia — Salisbury
- H. fasciculata — R. Brown
- H. minutifolia — Ferd. Mueller

Magnoliaceæ, Candolle.

Tasmania, R. Brown
- T. aromatica — R. Brown

Cruciferæ, Jussieu.

Nasturtium, R. Brown
- N. terrestre — R. Brown

Cardamine, Linné
- C. stylosa — Candolle
- C. dictyosperma — Hooker
- C. laciniata — Ferd. Mueller
- C. debilis — Banks & Solander
- C. intermedia — Hooker
- C. tenuifolia — Hooker

Capsella, Medicus
- C. Australasica — Ferd. Mueller
- C. pilosula — Ferd. Mueller
- *C. Bursa pastoris — Moench

Sisymbrium, Allioni
- *S. officinale — Scopoli

Stenopetalum, Brown
- S. gratulatorium — Ferd. Mueller

Senebiera, Persoon
- *S. didyma — Persoon

Lepidium, Linné
- L. hyssopifolium — Desvaux
- *L. ruderale — Linné

Hypericineæ, Candolle.

Hypericum, Linné
- H. involutum — Candolle

Droseraceæ, Candolle.

Drosera, Linné
- D. binata — Labillardière
- D. pygmæa — Candolle
- D. anagallidiflora — Ferd. Mueller
- D. Whittakerii — Planchon
- D. peltata — Smith
- D. foliosa — J. Hooker
- D. Planchonii — J. Hooker

Violarinæ, Candolle.

Hymenanthera, Banks and Solander
- H. Banksii — Ferd. Mueller

Erpetion, Candolle
- E. hederaceum — Candolle
- E. Cymbalaria — Candolle
- E. spathulatum — Candolle

Viola, Linné
- V. betonicifolia — Smith

Pigea, Candolle
- P. floribunda — Lindley

Polygaleæ, Jussieu.

Comesperma, Labillardière
- C. volubile — Labillardière
- C. linariæfolium — All. Cunningham
- C. retusum — Labillardière
- C. calymegum — Labillardière

Polygala, Linné
- P. veronicea — Ferd. Mueller

Pittosporeæ, R. Brown.

Pittosporum, Solander
- P. acacioides — All. Cunningham
- P. bicolor — Hooker

Bursaria, Cavanilles
- B. spinosa — Cavanilles

Rhytidosporum, Ferd. Mueller
- R. procumbens — Ferd. Mueller
- R. Stuartianum — Ferd. Mueller

Billardiera, Smith
- B. longiflora — Labillardière
- B. brachyantha — Ferd. Mueller
- B. finitima — Ferd. Mueller
- B. cymosa — Ferd. Mueller

Cheiranthera, All. Cunningham
- C. linearis — All. Cunningham

Sapindaceæ, Jussieu.

Dodonæa, Linné
- D. conferta — Don
- D. salsolifolia — All. Cunningham
- D. hirtella — Miquel

Zygophylleæ, Jussieu.

Zygophyllum, Linné
- Z. glaucum — Ferd. Mueller

Diosmeæ, Jussieu.

Zieria, Smith
- Z. lanceolata — R. Brown

Boronia, Smith
- B. dentigera — Ferd. Mueller
- B. pilonema — Labillardière
- B. tetrathecoides — Candolle

Phebalium, Ventenat
- P. bilobum — Lindley
- P. podocarpoides — Ferd. Mueller
- P. asteriscophorum — Ferd. Mueller

Eriostemon, Smith
- E. pungens — Lindley
- E. verrucosus — Arch. Richard

Correæ, Smith
- C. alba — Andrews
- C. Latrobeana — Ferd. Mueller
- C. ochroleuca — Ferd. Mueller
- C. virens — Smith
- C. glabra — Lindley

Correa, pulchella	Mackey
C. cordifolia	Lindley
C. Backhousiana	Hooker
C. cardinalis	Ferd. Mueller
C. æmula	Fred. Mueller

TREMANDREÆ, R. BROWN.

Tetratheca, Smith	
T. ciliata	Lindley
T. baueræfolia	Ferd. Mueller
T. pilosa	Labillardière
T. glandulosa	Labillardière

BUETTNERIACEÆ, R. BROWN.

Thomasia, Gay	
T. petalocalyx	Ferd. Mueller
Lasiopetalum, Smith	
L. Baueri	Steetz
L. dasyphyllum	Sieber
Rulingia, R. Brown	
R. rugosa	Steetz

MALVACEÆ, R. BROWN.

Lawrencia, Hooker	
L. spicata	Hooker
Sida, Linné	
S. corrugata	Lindley
S pulchella	Bonpland
Malva, Linné	
M. Behriana	Schlechtendal
*M. vulgaris	Fries
*M. borealis	Wallmann

GERANIACEÆ, CANDOLLE.

Geranium, Linné	
G. potentilloides	L'Heritier
G. pilosum	Forster
Erodium, L'Heritier	
E. cygnorum	Nees
*E. moschatum	L'Heritier
Pelargonium, L'Heritier	
P. Australe	Willdenow
P. Rodneyanum	Mitchell

LINEÆ, CANDOLLE.

Linum, Linné	
L. marginale	All. Cunningham

OXALIDEÆ, CANDOLLE.

Oxalis, Linné	
O. microphylla	Poiret

STACKHOUSIACEÆ, R. BROWN.

Stackhousia, Smith	
S. monogyna	Labillardière
Tripterococcus, Endlicher	
T. spathulatus	Ferd. Mueller

FRANKENIACEÆ, ST. HILAIRE.

Frankenia, Linné	
F. paucifloria	Candolle

CARYOPHYLLEÆ, JUSSIEU.

Silene, Linné	
*S. Gallica	Linné
Dichoglottis, Fisher and Meyer	
D. Australis	Schlechtendal
Stellaria, Linné	
S. pungens	Deperrey
S. multiflora	Hooker
S. pulvinaris	Ferd. Mueller
S. Australasica	Ferd. Mueller
S. flaccida	Hooker
*S. media	Villars
Cerastium, Linné	
*C. glomeratum	Thuillier
Mollugo, Linné	
M. Novo-Hollandica	Ferd. Mueller
Sagina, Linné	
*S. apetala	Linné
Polycarpon, Loeffling	
P. alsinifolium	Candolle
Spergula, Linné	
*S. arvensis	Linné
Spergularia, Persoon	
S. marginata	Kittel

ELATINEÆ, CAMBESSEDES.

Elatine, Linn	
E. Gratioloides	All. Cunningham

CALYCIFLORÆ CANDOLLE.

CRASSULACEÆ, CANDOLLE.

Tillæa, Micheli	
T. verticillaris	Candolle
T. purpurata	J. Hooker
T. macrantha	J. Hooker.
T. Stuartii	Ferd. Mueller

PORTULACEÆ, JUSSIEU.

Claytonia, Linné	
C. Australasica	J. Hooker
Calandrinia, Humboldt	
C. calyptratata	J. Hooker
C. pygmæa	Ferd. Mueller
Tetragonella, Miquel	
T. implexicoma	Miquel

MESEMBRYANTHEMEÆ, FENZL.

Mesembryanthemum, Linné	
M. æquilaterale	Haworth
M. Australe	Aiton
M. sermentosum	Haworth

HALORAGEÆ, R. BROWN.

Haloragis, Forster	
H. tetragyna	R. Brown
H. teucrioides	Schlechtendal
H. dimorpha	Ferd Mueller
Halorages, elata	All. Cunningham
H. muricata	Ferd. Mueller
H. rotundifolia	Ferd. Mueller
Meionectes, Brown	
M. Brownii	J. Hooker
Myriophyllum, Linné	
M. variifolium	J. Hooker
M. heteromorphum	Ferd. Mueller

CERATOPHYLLEÆ, GRAY.

Ceratophyllum, Linné	
C. charæforme	F. Mueller

ONAGREÆ, JUSSIEU.

Epilobium, Linné	
E. Billardierianum	Seringe
Jussiæa, Lamark	
J. Australasica	Ferd. Mueller

LYTHRARIEÆ, JUSSIEU.

Lythrum, Linné	
L. Salicaria	Linné

CUNONIACÆ, R. BROWN.

Weinmannia, Linné	
W. biglandulosa	All. Cunningham

Appendix No. 6.

VICTORIA.

Bauera, Kennedy
B. Billardierii — Don

EUPHORBIACEÆ, JUSSIEU.

Euphorbia, Linné
E. chamæsycoides — Ferd. Mueller

Rhicinocarphus, Desfontaines
R. sidæformis — Ferd. Mueller

Trachycaryon, Klotzsch
T. Klotzschii — Ferd. Mueller

Beyera, Miquel
B. ledifolia — Klotzsch

Ampera, Adr. Jussieu
A. cuneifolia — Ferd. Mueller

Phyllanthus, Swartz
P. Gunnii — J. Hooker
P. hirtellus — Ferd. Mueller
P. Fuernrohrii — Ferd. Mueller

Micranthea, Desfontaines
M. hexandra — J. Hooker

Poranthera, Rudge
P. microphylla — Brongniart

RHAMNACEÆ, R. BROWN.

Pomaderris, Labillardière
P. oraria — Fuerd. Mueller
P. apetalia — Labillardière
P. elliptica — Labillardière
P. subrepanda — Ferd. Mueller
P. philyræfolia — Fenzl

Trymalium, Eenzl
T. brevifolium — Reisseck
T. parvifolium — Ferd. Mueller

Cryptandra, Smith
C. tomentosa — Lindley
C. divaricata — Reisseck
C. spinescens — Sieber

Discaria, Hooker
D. Australis — Hooker

MYRTACEÆ, R. BROWN.

Genethyllis, Candolle
G. alpestris — Lindley

Paryphantha, Schauer
P. Mitchelliana — Schauer

Calycothrix, Labillardière
C. glabra — R. Brown
C. scabra — Candolle

Schidiomyrtus, Schauer
S. micrantha — Schauer

Baekea, Linné
B. crassifolia — Lindley
B. utilis — Ferd. Mueller

Euryomyrtus, Schauer
E. alpina — Schauer

Camphoromyrtus, Schauer
C. crenulata — Ferd. Mueller

Fabricia, Gaertner
F. lævigata — Gaertner

Leptospermum, Smith
L. grandiflorum — Loddiges
L. flavescens — Smith
L. grandifolium — Smith
L. lanigerum — Aiten
L. juniperinum — Smith
L. myrsinoides — Schlechtendal
L. brevipes — Ferd. Mueller

Kunzea, Reichenbach
K. leptospermoides — Ferd. Mueller
K. peduncularis — Ferd. Mueller
K. pelagia — Ferd. Mueller
K. pomifera — Ferd. Mueller

Eucalyptus, L'Heritier
E. globulus — Labillardière

Eucalyptus, acervula — Sieber
E. phlebophylla — Ferd. Mueller
E. rostrata — Schlechtendal
E. sacchariflua — Ferd. Mueller
E. amygdalina — Labillardière
E. Gunnii — J. Hooker
E. piperita — Smith
E. odorata — Behr and Schlechtendal
E. macrorrhyncha — Ferd. Mueller
E. pallens — Candolle
E. polyanthemos — Schauer
E. goniocarpus — Ferd. Mueller
E. fabrorum — Schlechtendal
E. Behriana — Ferd. Mueller
E. alpina — Lindley

Cailistemon, Brown
C. salignus — Candolle

Melaleuca, Linné
M. squarrosa — Smith
M. squamea — Labillardière
M. paludosa — Brown
M. curvifolia — Schlechtendal
M. Gunniana — Schauer
M. pithyoides — Ferd. Mueller

ROSACEÆ, JUSSIEU.

Rosa, Tournefort
*R. rubiginosa — Linné

Rubus, Linné
R. macropodus — Seringe

Potentilla, Linné
P. anserinoides — Raoul

Geum, Linné
G. Australiæ — Ferd. Mueller

Alchemilla, Linné
*A, arvensis — Scopoli

Acæna, Linné
A. sanguisorbæ — Vahl
A. ovina — All. Cunningham

LEGUMINOSÆ, JUSSIEU.

Acacia, Willdenow
A. armata — R. Brown
A. Vepres — Ferd. Mueller
A. Gunnii — Bentham
A. cuspidata — All. Cunningham
A. tenuifolia — Ferd. Mueller
A. juniperina — Willdenow
A. Riceana — Henslow
A. verticillata — Willdenow
A. Oxycedrus — Sieber
A. sertiformis — All. Cunningham
A. Latrobei — Meisner
A. pravissima — Ferd. Mueller
A. alampra — Ferd. Mueller
A. myrtifolia — Willdenow
A. suaveolens — Willdenow
A. rivularis — Ferd. Mueller
A. cephalobotrya — Ferd. Mueller
A. retinodes — Schlechtendal
A. pycnantha — Bentham
A. semipinnata — Ferd. Mueller
A. salicina — Lindley
A. acinacea — Lindley
A. densifolia — Bentham
A. aspera — Lindley
A. exsudans — Lindley
A. verniciflua — All. Cunningham
A. reclinata — Ferd. Mueller
A. stricta — Willdenow
A. sclerophylla — Lindley
A farinosa — Lindley
A. pendula — All. Cunningham
A. stenophylla — All. Cunningham
A. Melanoxylon — R. Brown
A. brevipes — All. Cunningham
A. linearifolia — Ferd. Mueller

Acacia, mucronata	Willdenow
A. longifolia	Willdenow
A. Sophoræ	R. Brown
A. phlebophylla	Ferd. Mueller
A. maritima	Bentham
A. mollissima	Willdenow
A. dealbata	Link
A. paucijuga	Ferd. Mueller
A. Mitchelli	Bentham
Cassia, Linné	
C. eremophila	All. Cunningham
C. heteroloba	Lindley
Gompholobium, Smith	
G. latifolium	Smith
G. Huegelii	Bentham
Sphærolobium, Smith	
S. vimineum	Smith
Viminaria, Smith	
V. denudata	Smith
Daviesia, Smith	
D. pectinata	Lindley
D. brevifolia	Lindley
D. umbellulata	Smith
D. ruscifolia	All. Cunningham
Daviesia, virgata	All. Cunningham
D. latifolia	R. Brown
Dillwynia, Smith	
D. glaberrima	Smith
D. cinerascens	R. Brown
D. hispida	Lindley
D. sericea	All. Cunningham
D. parvifolia	R. Brown
D. spinescens	Ferd. Mueller
Sclerothamnus, R. Brown	
S. spinulosus	Ferd. Mueller
S. diffusus	Ferd. Mueller
Aotus, Smith	
A. villosa	Smith
Eutaxia, R. Brown	
E. pungens	Sweet
Oxylobium, Andrews	
O. alpestre	Ferd. Mueller
Podolobium, R. Brown	
P. procumbens	Ferd. Mueller
Spadostylis, Bentham	
S. ternata	Ferd. Mueller
S. pimeloides	Ferd. Mueller
Pultenæa, Smith	
P. obcordata	Andrews
P. largiflorens	Ferd. Mueller
P. montana	Lindley
P. oreophila	Ferd. Mueller
P. brachypoda	Ferd. Mueller
P. Gunni	Bentham
P. stricta	Sims
P. Benthami	Ferd. Mueller
P. mucronata	Ferd. Mueller
P. epacridea	Ferd. Mueller
P. curvifolia	Ferd. Mueller
P. pedunculata	Hooker
P. mollis	Lindley
P. angustifolia	Ferd. Mueller
P. tenuifolia	R. Brown
P. foliosa	All. Cunningham
Bossiæa, Ventenat	
B. cinerea	R. Brown
B. prostrata	R. Brown
B. decumbens	Ferd. Mueller
B. horizontalis	Hooker
B. rosmarinifolia	Lindley
Hovea, Brown	
H. linearis	R. Brown
H. gelida	Ferd. Mueller
Platylobium, Smith	
P. cordifolium	Ferd. Mueller
P. macrocalyx	Meisner
Melilotus, Tournefort	
*M. officinalis	Desrousseaux
Trifolium, Linné	
*T. repens	Linné
*T. procumbens	Linné
*T. filiforme	Linné
Trigonella, Linné	
T. suavissima	Lindley
Medicago, Linné	
*M. sativa	Linné
Lotus, Linné	
L. Australis	Seringe
*L. tenuifolius	Pollich
*L. corniculatus	Linné
Psoralea, Linné	
P. tenax	Lindley
Psoralea, adscendens	Ferd. Mueller
P. cinerea	Lindley
Psoraleopsis, Ferd. Mueller	
P. simplicicaulis	Ferd. Mueller
Clidanthera, R. Brown	
C. psoraleoides	R. Brown
Indigofera, Dinné	
I. Australis	Wildenow
I. silvatica	Sieber
I. signata	Ferd. Mueller
Swainsona, Salisbury	
S. Greyana	Lindley
S. lessertiæfolio	Candolle
S. phacoides	Bentham
S. miniata	Ferd. Mueller
Vicia, Linné	
*V. angustifolia	Roth
Ervum, Linné	
F. hirsutum	Linné
Desmodium, Desvaux	
D. Tasmanicum	Ferd. Mueller
Zichya, Bentham	
Z. Latrobeana	Meisner
Z. angustifolia	Lindley
Hardenbergia, Bentham	
H. monophylla	Bentham
Kennedya, Ventenat	
K. prostrata	R. Brown

UMBELLIFERÆ, JUSSIEU.

Hydrocotyle, Tournefort	
H. interrupta	Muehlenberg
H. geranifolia	Ferd. Mueller
H. cordifolia	J. Hooker
H. capillaris	Ferd. Mueller
H. pterocarpa	Ferd. Mueller
H. tripartita	R. Brown
H. muscosa	R. Brown
H. hirta	R. Brown
H. densiflora	Candolle
Crantzia, Nuttal	
C. Australasica	Ferd. Mueller
Trachymene, Rudge	
T. heterophylla	Ferd. Mueller
T. crassifolia	Bentham
T. myrtifolia	Sieber
Didiscus, Candolle	
D. pilosus	Bentham
Astrotricha, Candolle	
A. linearis	All. Cunningham
A. asperifolia	Ferd. Mueller
Xanthosia, Rudge	
X. dissecta	J. Hooker

Appendix No. 6.
VICTORIA.

Xanthosia, montana	Sieber
X. pannosa	Bentham
X. tridentata	Candolle
Eryngium, Tournefort	
E. vesiculosum	Labillardière
E. ovinum	All. Cunningham
Helosciadium, Koch	
H. prostratum	Bunge
H. parvum	Ferd. Mueller
Sium, Linné	
S. latifolium	Linné
Anisotome, J. Hooker	
A. glacialis	Ferd. Mueller
Daucus, Tournefort	
D. brachiatus	Sieber
Oreomyrrhis, Endlicher	
O. eriopoda	Endlicher

RUBIACEÆ, JUSSIEU.

Galium, Scopoli	
G. vagans	J. Hooker
G. Gaudichaudi	Candolle
G. Australe	Candolle
Asperula, Linné	
A. Gunnii	J. Hooker
A. conferta	J. Hooker
A. scoparia	J. Hooker
Opercularia, Richard	
O. caprosmoides	Ferd. Mueller
O. ovata	J. Hooker
O. varia	J. Hooker
O. scabrida	Schlechtendal
Pamax, Solander	
P. hirta	Candolle
Caprosma, Forster	
C. microphylla	All. Cunningham
C. hirtella	Labillardière

LORANTHACEÆ, DON.

Loranthus, Linné	
L. eucalyptoides	Candolle
L. pendulus	Sieber
L. miraculosus	Miquel
L. canus	Ferd. Mueller
L. Exocarpi	Behr
L. Preissi	Miquel

CAPRIFOLIACEÆ, JUSSIEU.

Sambucus, Linné	
S. Gaudichaudiana	Candolle

ARALIACEÆ, JUSSIEU.

Panax, Linné	
P. dendroides	Ferd. Mueller
P. Dallachii	Ferd. Mueller
P. paucilobus	Ferd. Mueller
P. angustifolius	Ferd. Mueller

COMPOSITÆ, VAILLANT.

Celmisia, Cassini	
C. asteliæfolia	J. Hooker
Eurybiopsis, Candolle	
E. Hookeri	Ferd. Mueller
Eurybia, Cassini	
E. axillaris	Candolle
E. linearifolia	Candolle
E. glutinosa	Lindley
E. glandulosa	Candolle
E. ramulosa	Candolle
E. lepidophylla	Candolle
E. ciliata	Bentham
E. decurrens	Candolle
E. Gunniana	Candolle
E. pimeloides	Candolle
E. myrsinoides	Nees
E. lirata	Candolle
E. argophylla	Cassini
E. scabra	Bentham
Eurybia, astrotricha	Ferd. Mueller
E. rugosa	Ferd. Mueller
E. megalophylla	Ferd. Mueller
Brachycome, Cassini	
B. diversifolia	Fischer and Meyer
B. multipartita	Ferd. Mueller
B. ciliaris	Lessing
Brachycome, pterocarpa	Ferd. Mueller
B. multicaulis	Ferd. Mueller
B. nivalis	Ferd. Mueller
B. leucanthemifolia	Bentham
B. heterodonta	Candolle
B. scapigera	Candolle
B. graminea	Ferd. Mueller
B. linearifolia	Candolle
B. decipiens	J. Hooker
Lagenophora, Cassini	
L. Billardierii	Cassini
L. Gunniana	Steetz
L. pachyrrhiza	Ferd. Mueller
Calotis, R. Brown	
C. lasiocarpa	Ferd. Mueller
Solenogyne, Cassini	
S. belliodes	Cassini
Conyza, Linné	
*C. ambigua	Candolle
Siegesbeckia, Linné	
S. Orientalis	Linné
Gymnogyne, Steetz	
G. cotuloides	Linné
Cotula, Linné	
C. coronopifolia	Linné
Strongyloserma, Lessing	
S. Australe	Lessing
Symphyomera, J. Hooker	
S. Filicula	J. Hooker
Leptinella, Cassini	
L. intricata	J. Hooker
L. longipes	J. Hooker
Myriogyne, Lessing	
M. minuta	Lessing
M. Cunninghami	Candolle
Maruta, Cassini	
*M. fœtida	Cassini
Skirrhophorus, Candolle	
S. Fuernrohrii	Ferd. Mueller
Minuranthus, Ferd. Mueller	
M. gnaphaloides	Ferd. Mueller
Calocephalus, Brown	
C. lacteus	Lessing
C. citreus	Lessing
Leucophyta, R. Brown	
L. Brownii	Lessing
Craspedia, Forster	
C. Richea	Cassini
C. alpina	J. Hooker
Apalochlamys, Cassini	
A. Billardierii	Candolle
Cassinia, R. Brown	
C. lævis	R. Brown
C. aculeata	R. Brown
Hæckeria, Ferd. Mueller	
H. ozothamnoides	Ferd. Mueller
Ozothamnus, R. Brown	
O. retusus	Ferd. Mueller
O. obcordatus	Candolle
O. turbinatus	Candolle
O. ferrugineus	Candolle
Podotheca, Cassini	
P. viscosa	Ferd. Mueller
Leptorrhynchus, Lessing	
L. squamatus	Lessing
L. elongatus.	Candolle

Podolepis, Labillardière
P. macrocephala — Ferd. Mueller
P. hieracioides — Ferd. Mueller

Tetrachæta, Ferd. Mueller
T. perennis — Ferd. Mueller

Pumilo, Schlechtendal
P. argyrolepis — Schlechtendal

Millotia, Cassini
M. tenuifolia — Cassini
M. myosotidifolio — Steetz

Chrysocephalum, Walpers
C. semipapposum — Steetz
C. flavissimum — Steetz

Phæoleuca, Ferd. Mueller
P. obtusifolia — Ferd. Mueller

Helichrysum, Gaertner
H. bracteatum — Willdenow
H. leucopsidium — Candolle
H. scorpioides — Labillardière
H. Gunniannum — Hooker

Helipterum, Candolle
H. chionolepis — Ferd. Mueller
H. punctatum — Candolle
H. incanum — Candolle
H. brachyrrhynchum — Sonder

Gnaphalium, Linné
*G. luteo-album — Linné
G. involucratum — Forster
G. indutum — J. Hooker

Erechtites, Rafinesque
E. glabrescens — Candolle
E. arguta — Candolle
E. hispidula — Candolle
E. macroglossa — Ferd. Mueller

Senecio, Linne
S. Cunninghami — Candolle
S. odoratus — Hornemann
S. Macquariensis — Candolle
S Vagus — Ferd. Mueller
S. velleyoides — All. Cunningham
S. rupicola — Lesson and Ach. Richard

Bedfordia, Candolle
B. salicina — Candolle

Cymbonotus, Cassini
C. Lawsonianus — Gaudichard

Cryptostemma, R. Brown
*C. calendulaceum — R. Brown

Silybum, Gaertner
*S. Marianum — Gaertner.

Centaurea, Linné
*C. solstitialis — Linné

Onopordon, Linné
*O. Acanthium — Linné

Cynara, Linné
*C. Scolymus — Linné

Hypochœris, Linné
*H. glabra — Linnè

Taraxacum, Weber
*T. officinale — Weber

Picris, Linné
P. angustifolia — Candolle

Sonchus, Linné
*S. oleraceous — Linné
*S. asper — Villars

Schorzonera, Linné
S. Lawrencii — J. Hooker

AMBROSIACEÆ, LINK.

Xanthium, Tournefort
*X. spinosum — Linné

BRUNONIACEÆ, BROWN.

Brunonia, Smith
B. Australis — Smith

GOODENIACEÆ, BROWN.

Dampiera, R. Brown
D. stricta — R. Brown

Scævola, Linné
S. suaveolens — R. Brown
S. æmula — R. Brown
S. Hookeri — Ferd. Mueller
S. pallida — R. Brown
S. spinescens — R. Brown.

Selliera, Cavanilles
S. herpystica — Schlechtendal

Goodenia, Smith
G. humilis — R. Brown
G. ovata — R. Brown
G. geniculata — R. Brown
G. cordifolia — Ferd. Mueller
G. elongata — Labillardière
G. glauca — Ferd. Mueller
G. pinnatifida — Schlechtendal

Velleya, Brown
V. paradoxa — R. Brown

LOBELIACEÆ, JUSSIEU.

Isotoma. R. Brown
I. axillaris — Lindley

Laurentia, Presl
L. hydrophila — Ferd. Mueller
L. intricata — Ferd. Mueller
L. platycalyx — Ferd. Mueller

Lobelia, Linné
L. irrigua — R. Brown
L. pedunculata — R. Brown
L. gibbosa — Labillardière
L. simplicicaulis — R. Brown
L. anceps — Thunberg

CAMPANULACEÆ, DUBY.

Wahlenbergia, Schrader
W. gracilis — Alph. Candolle
W. quadrifida — Alph. Candolle

STYLIDEÆ, R. BROWN.

Stylidium, Swartz
S. graminifolium — Swartz
S. inundatum — Brown

Coleostylis, Sonder
C. Preissii — Sonder

EPACRIDEÆ, R. BROWN.

Stenanthera, R. Brown
S. conostephoides — Sonder

Astroloma, R. Brown
A. humifusum — R. Brown
A. denticulatum — R. Brown.

Leucopogon, R. Brown
L. Australis — R. Brown
L. affinis — R. Brown.
L. Riichei — R. Brown
L. astrolomoides — Ferd. Mueller
L. trichocarpus — R. Brown
L. virgatus — R. Brown

Appendix No. 6.
VICTORIA.

Leucogodon glacialis	Lindley
L. cordifolius	Lindley
Acrotriche, Brown	
A. serrulata	B. Brown
A. prostrata	Ferd. Mueller
Melichrus, R. Brown	
M. glaucifolius	Ferd. Mueller
Monotoca, R. Brown	
M. scoparia	R. Brown
M. lineata	R. Brown
Lissanthe, R. Brown	
L. subulata	R. Brown
L. montana	R. Brown
Lissanthe ciliata	R. Brown
L. Cunninghami	Candolle
L. Maccræi	Ferd. Mueller
Sprengelia, Smith	
S. incarnata	Smith
Epacris, Cavanilles	
E. impressa	Labillardière
E. pulchella	Cavanilles
E. lanuginosa	Labillardière
E. obtusifolia	Smith
E. tomentosa	Lindley
Lysinema, R. Brown	
L. epacrideum	Ferd. Mueller

COROLLIFLORÆ, CANDOLLE.

Myrsineæ, R. Brown.

Myrsine, Linné	
M. Howittiana	Ferd. Mueller

Oleinæ, Hoffmansegg and Link.

Notelæa, Ventenat	
N. ligustrina	Ventenat

Jasmineæ, R. Brown.

Jasminum, Linné	
J. lineare	R. Brown

Myoporinæ, R. Brown.

Myoporum, Banks and Solander	
M. tuberculatum	R. Brown
M. insulare	R. Brown
M. pentandrum	Ferd. Mueller
M. humile	R. Brown
Pholidia, R. Brown	
P. scoparia	R. Brown
Stenochilus, R. Brown	
S. glaber	R. Brown
S. maculatus	Ker
S. longifolius	R. Brown

Verbenacæ, Jussieu.

Verbena, Linné	
V. officinalis	Linné
Avicennia, Linné	
A. officinalis	Linné

Labiatæ, Jussieu.

Lycopus, Linné	
L. Australis	R. Brown
Mentha, Linné	
M. Australis	R. Brown
M. laxiflora	Bentham
M. gracilis	R. Brown
M. saturejoides	R. Brown
Prunella, Linné	
P. vulgaris	Linné
Marrubium, Linné	
*M. vulgare	Linné
Scutellaria, Linné	
S. humilis	R. Brown
Prostanthera, Labillardière	
P. lasianthos	Labillardière
P. rotundifolia	R. Brown
Prostanthera hirtula	Ferd. Mueller
P. westringiæformis	Ferd. Mueller
P. nivea	All. Cunningham
Westringia, Smith	
W. rigida	R. Brown
W. senifolia	Ferd. Mueller
Teucrium, Linné	
T. racemosum	R. Brown
T. corymbosum	R. Brown
Ajuga, Linné	
A. Australis	R. Brown

Borragineæ, R. Brown.

Myosotis, Linné	
M. Australis	R. Brown
M. suaveolens	Poiret
Cynoglossum, Linné	
C. latifolium	R. Brown
C. Australe	R. Brown
C. suaveolens	R. Brown

Convolvulaceæ, Jussieu.

Calystegia, R. Brown	
C. sepium	R. Brown
Convolvulus, Linné	
C. erubescens	Sims
Dichondra, Forster	
D. repens	Forster
Cressa, Linné	
C. Cretica	Linné
Wilsonia, Brown	
W. Backhousii	J. Hooker
W. rotundifolia	Hooker
Cuscuta, Linné	
C. Australis	R. Brown

Bignoniaceæ, R. Brown.

Tecoma, Jussieu	
T. Latrobei	Ferd. Mueller

Apocyneæ, R. Brown.

Lyonsia, Brown	
L. straminea	R. Brown
Alyxia, Banks	
A. buxifolia	R. Brown

Loganiaceæ, Endlicher.

Logania, R. Brown	
L. revoluta	R. Brown
L. elliptica	R. Brown

GENTIANEÆ, JUSSIEU.

Gentiana, Linné	
G. Diemensis	Griesebach
Sebaea, R. Brown	
S. ovata	R. Brown
S. albidiflora	Ferd. Mueller
Frythræa, Renealm	
E. Australis	R. Brown
Villarsia, Ventenat	
V. parnassifolia	R. Brown
Mitrasacme, Labillardière	
M. paradoxa	R. Brown

SOLANACEÆ, JUSSIEU.

Solanum, Linné	
S. nigrum	Linné
S. laciniatum	R. Brown
S. Hystrix	R. Brown
*S. Sodomæum	Linné
Nicotiana, Linné	
N. suaveolens	Lehmann
Datura, Linné	
*D. Tatula	Linné

ACANTHACEÆ, R. BROWN

Basileophyta, Ferd. Mueller	
B. Friderici Augusti	Ferd. Mueller

SCROPHULARINÆ, R. BROWN.

Mimulus, Linné	
M. repens	R. Brown
Mazus, Loureiro	
M. Pumilio	R. Brown
Gratiola, Linné	
G. latifolia	R. Brown
G. pubescens	R. Brown
Glossostigma, Arnott	
G. Drummondi	Bentham
Veronica, Linné	
V. perfoliata	R. Brown
V. labiata	R. Brown
V. notabilis	Ferd. Mueller
V. calycina	R. Brown
V. flagelligera	Ferd. Mueller
V. gracilis	R. Brown
*V. peregrina	Linné

LENTIBULARINÆ, RICHARD.

Utricularia, Linné	
U. Australis	R. Brown
U. lilacina	Ferd. Mueller
U. linearifolia	Benjamin

PRIMULACEÆ, VENTENAT.

Samolus, Tournefort	
S. litoralis	R. Brown
Anagallis, Linné	
*A. phœnicea	Lamark
*A. cœrulea	Schreber

PLUMBAGINEÆ, JUSSIEU.

Statice, Linné	
S. Australis	Sprengel

PLANTAGINÆ, VENTENAT.

Plantago, Linné	
P. varia	R. Brown
P. debilis	R. Brown
*P. lanceolata	R. Brown
*P. Coronopus	R. Brown

MONOCHLAMYDEÆ, CANDOLLE.

NYCTAGINEÆ, JUSSIEU.

Bærhavia, Linné	
B. mutabilis	R. Brown

LAURINEÆ, JUSSIEU.

Cassyta, Linné	
C. glabella	R. Brown
C. pubescens	R. Brown
C. melantha	R. Brown
C. extensa	Ferd. Mueller

PROTEACEÆ, R. BROWN.

Persoonia, Smith	
P. ferruginea	Smith
P. rigida	R. Brown
P. juniperina	Labillardière
P. suffruticosa	Ferd. Mueller
Isopogon, R. Brown	
I. Ceratophyllus	R. Brown
Grevillea, R. Brown	
G. Victoriæ	Ferd. Mueller
G. trisecta	Ferd. Mueller
G. Latrobei	Meisner
G. lavandulacea	Schlechtendal
G. oreophila	Ferd. Mueller
G. Dallachiana	Ferd. Mueller
G. chrysophæa	Ferd. Mueller
G. parviflora	R. Brown
G. alpina	Lindley
G. variabilis	Lindley
Grevillea, aquifolium	Lindley
G. induta	Ferd. Mueller
G. ilicifolia	R. Brown
G. repens	Ferd. Mueller
Lomatia, R. Brown	
L. longifolia	R. Brown
L. ilicifolia	R. Brown
L. Fraseri	R. Brown
Hakea, Schrader	
H. semiplana	Ferd. Mueller
H. parilis	Knight and Salisbury
H. brachyrrhyncha	Ferd. Mueller
H. rostrata	Ferd. Mueller
H. microcarpa	R. Brown
H. ulicina	R. Brown
Banksia, Linné, jun.	
B. Australis	R. Brown
B. verticillata	R. Brown
B. integrifolia	Linné, jun.
B. serrata	Linné, jun.
B. prinopohylla	Ferd. Mueller

THYMELEÆ, JUSSIEU.

Pimelea, Banks and Solander	
P. elata	Ferd. Mueller
P. linifolia	Smith
P. glauca	R. Brown
P. humilis	R. Brown
P. flava	R. Brown

Appendix No. 6.

VICTORIA.

Pimelea, serpillifolia	R. Brown
P. elachantha	Ferd. Mueller
P. curviflora	R. Brown
P. octophylla	R. Brown
P. phylicoides	Meisner
P. distinctissima	Ferd. Mueller
P. axiflora	Ferd. Mueller

AMARANTHACEÆ, JUSSIEU.

Trichinium, R. Brown	
T. spathulatum	R. Brown
T. lanatum	Lindley
T. Wehlianum	Fred. Mueller
T. pachocephalum	Moquin
Alternanthera, Forskael	
A. denticulata	R. Brown
Hemichroa, Brown	
H. pentandra	R. Brown

SALSOLACEÆ, JUSSIEU.

Rhagodia, Brown	
R. nutans	R. Brown
R. Billardierii	R. Brown
R. hastata	R. Brown
R. angustifolia	Ferd. Mueller
Chenopodium, Linné	
C. ambiguum	R. Brown
C. erosum	R. Brown
C. microphyllum	Ferd. Mueller
Blitum, Linné	
B. glandulosum	Moquin
B. carinatum	Moquin
Atriplex, Linné	
A. cinereum	Poiret
A. paludosum	R. Brown
A. semibaccatum	R. Brown
Threlkeldia, R. Brown	
T. diffusa	. Brown
Enchylæna, R. Brown	
E. tomentosa	R. Brown
Halocnemum, Bieberstein	
H. Australasicum	Moquin
Arthrocnemum, Moquin	
A. Arbuscula	Moquin
Chenopodina, Moquin	
C. Australis	Moquin

POLYGONEÆ, JUSSIEU.

Polygonum, Linné	
P. junceum	Meisner
P. prostratum	R. Brown
P. Minus	Hudson
P. glandulosum	R. Brown
P. subsessile	R. Brown
P. gracile	R. Brown
P. strigosum	R. Brown
*P. aviculare	Linné
Muehlenbeckia, Meisner	
M. appressa	Meisner
M. complexa	Meisner
Rumex, Linne	
R. Brownii	Campdera
R. Drummondii	Meisner
*R. crispus	Linné
*R. Acetosella	Linné

PHYTOLACCEÆ, R. BROWN.

Gyrostemon, Desfontaines	
G. acaciiformis	Ferd. Mueller

SANTALACEÆ, JUSSIEU.

Leptomeria, R. Brown	
L. pungens	Ferd. Mueller
L. acerba	Ferd. Mueller
Choretrum, R. Brown	
C. lateriflorum	R. Brown
Santalum, Linné	
S. persicarium	Ferd. Mueller
S. Preissianum	Miquel
Exocarpus, Labillardière	
E. cupressiformis	Labillardière
E. stricta	R. Brown
Thesium, Linné	
T. Australe	R. Brown

CALLITRICHINEÆ, LINK.

Callitriche, Linné	
C. platycarpa	Kuetzing
C. vernalis	Kuetzing

URTICEÆ, JUSSIEU.

Urtica, Linné	
U. Tasmanica	Ferd. Mueller
*U. urens	Linné
*U. dioica	Linné
Parietaria, Linné	
P. squalida	J. Hooker

MOREÆ, ENDLICHER.

Pseudomorus, Ferd. Mueller	
P. Australasica	Ferd. Mueller

ATHEROSPERMEÆ, R. BROWN.

Atherosperma, Forster	
A. moschatum	Forster

CASUARINEÆ, MIRBEL.

Casuraina, Rumph	
C. leptoclada	Miquel
C. quadrivalvis	Labillardière
C. rigida	Miquel
C. pumila	Otto and Dietrich

CASTANEÆ, ADANSON.

Fagus, Linné	
F. Cunninghami	Hooker

CONIFERÆ, JUSSIEU.

Callitris, Ventenat	
C. pyramidalis	Sweet
C. Preissii	Miquel

TAXINEÆ, RICHARD.

Podocarpus, L'Heritier	
P. montana	Hooker

MONOCOTYLEDONEÆ.

Orchideæ, Jussieu.

Thelymitra, Forster
- T. grandis — Ferd. Mueller
- T. pauciflora — R. Brown

Diuris, Smith
- D. maculata — Smith
- D. aurea — Smith
- D. sulphurea — R. Brown

Orthoceras, R. Brown
- O. strictum — R. Brown

Cryptostylis, R. Brown
- C. longifolia — R. Brown

Prasophyllum, R. Brown
- P. patens — R. Brown
- P. nigricans — R. Brown

Calochilus, R. Brown
- C. campestris — R. Brown

Microtis, R. Brown
- M. rara — R. Brown
- M. media — R. Brown

Cyrtostylis, R. Brown
- C. reniformis — R. Brown

Chiloglottis, R. Brown
- C. diphylla — R. Brown

Eriochilus, R. Brown
- E. autumnalis — R. Brown

Leptoceras, R. Brown
- L. Menziesii — Lindley

Caladenia, R. Brown
- C. cœrulea — R. Brown
- C. carnea — R. Brown
- C. alata — R. Brown
- C. pulcherrima — Ferd. Mueller

Lyperanthus, Brown
- L. nigricans — R. Brown

Glossodia, R. Brown
- G. major — R. Brown
- G. minor — R. Brown

Pterostylis, R. Brown
- P. concinna — R. Brown
- P. cucullata — R. Brown
- P. pedunculata — R. Brown

Macdonaldia, Gunn
- M. antennifera — Lindley

Dipodium, R. Brown
- D. punctatum — R. Brown

Irideæ, Jussieu.

Patersonia, R. Brown
- P. aspera — Ferd. Mueller

Diplarrhena, Labillardière
- D. Moræa — Labillardière

Amaryllidæ, R. Brown

Crinum, Linné
- C. corynorrhizum — Ferd. Mueller

Hypoxideæ, Endliches.

Hypoxis, Linné
- H. glabella — R. Brown
- H. vaginata — Schlechtendal
- H. hygrometrica — Labillardière

Liliaceæ, Candolle.

Bulbine, Linné
- B. bulbosa — Haworth
- B. semibarbata — Haworth
- B. suavis — Lindley

Dichopogon, Kunth
- D. humilis — Kunth
- D. leimonophilus — Ferd. Mueller

Caesia, R. Brown
- C. corymbosa — R. Brown
- C. vittata — R. Brown
- C. parviflora — R. Brown

Thysanotus, R. Brown
- T. tuberosus — R. Brown
- T. Patersoni — R. Brown

Tricoryne, R. Brown
- T. elatior — R. Brown

Stypandra, R. Brown
- S. umbellata — R. Brown
- S. cæspitosa — R. Brown

Dianella, Lamark
- D. cœrulea — Sims
- D. revoluta — R. Brown

Xanthorrhœa, Smith
- X. minor — R. Brown
- X. Australis — R. Brown

Melanthaceæ, R. Brown.

Burchardia, R. Brown
- B. umbellata — R. Brown

Anguillaria, R. Brown
- A. dioica — R. Brown

Aphyllanthaceæ, Endlicher.

Laxmannia, R. Brown
- L. Tasmanica — Ferd. Mueller

Xyrideæ, Endlicher.

Xyris, Linné
- X. operculata — Labillardière

Xerotideæ, Endlicher.

Xerotes, R. Brown
- X. effusa — Lindley
- X. longifolia — R. Brown
- X. collina — R. Brown
- X. laxa — R. Brown
- X. gracilis — R. Brown

Junceæ, Candolle.

Juncus, Linné
- J. maritimus — Lamark
- J. vaginatus — R. Brown
- J. effusus — Linné
- J. pauciflorus — R. Brown
- J. Brownii — Ferd. Mueller
- J. homalocaulis — Ferd. Mueller
- J. bufonius — Linné
- J. prismatocarpus — R. Brown
- J. cæspititius — E. Meyer

Lazula, Candolle
- L. campestris — Candolle

Juncagineæ, Richard.

Triglochin, Linné
- T nanum — Ferd. Mueller

Appendix No. 6.

VICTORIA.

Triglochin, decipiens	R. Brown
T. tuberosum	Ferd. Mueller
T. mucronatum	R. Brown
Cycnogeton, Endlicher	
C. Huegelii	Endlicher

ALISMACEÆ, RICHARD.

Alisma, Linné	
A. Plantago	Linné
Damasonium, Jussieu	
D. Australe	Salisbury

HYDROCHARIDEÆ, JUSSIEU.

Ottelia, Persoon	
O. ovalifolia	Lindley

LEMNACEÆ, LINK.

Lemna, Linné	
L. minor	Linné
L. trisulca	Linné

TYMPHACEÆ, JUSSIEU.

Typha, Tournefort	
T. Shuttleworthii	Koch and Sonder

NAJADEÆ, LINK.

Posidonia, Kœnig	
P. Caulini	Kœnig
Amphibolis, Agardh	
A. zosterifolia	Agardh
Zostera, Linné	
Z. uninervis	Forskael

POTAMEÆ, JUSSIEU.

Ruppia, Linné	
R. maritima	Linné
Potamogeton, Linné	
P. natans	Linné
P. obtusifolius	Mertens and Koch
P. marinus	Linné
Zannichellia, Micheli	
Z. Preissii	Lehmann

DESVAUXIEÆ, BARTLING.

Desvauxia, R. Brown	
D. aristata	R. Brown
D. tenuior	R. Brown
Alepyrum, R. Brown	
A. polygynum	R. Brown
Aphelia, R. Brown	
A. cyperoides	R. Brown
A. Pumilo	Ferd. Mueller

RESTIACEÆ, R. BROWN.

Hypolæna, R. Brown	
H. fastigiata	R. Brown
Restio, Linné	
R. lateriflorus	R. Brown
R. tetraphyllus	Labillardière
Leptocarpus, R. Brown	
L. simplex	R. Brown
L. tenax	R. Brown

CYPEROIDEÆ, JUSSIEU.

Cyperus, Linné	
C. lævis	R. Brown
C. lepidus	Ferd. Mueller
Cyperus lucidus	R. Brown
C. venustus	R. Brown
Kyllinga, Rottboell	
K. intermedia	R. Brown
Chorizandra, R. Brown	
C. cymbaria	R. Brown
C. enodis	Nees
Isolepis, R. Brown	
I. nodosa	R. Brown
I. cartilaginea	R. Brown
I. Magellanica	Gaudichaud
I. multicaulis	Schlechtendal
I. prolifera	R. Brown
I. fluitans	R. Brown
Fimbristylis, Vahl	
F. brachytricha	Ferd. Mueller
Scirpus, Linné	
S. leptocarpus	Ferd. Mueller
S. validus	Vahl
S. maritimus	Linné
Heleocharis, R. Brown	
H. spacelata	R. Brown
H. palustris	R. Brown
H. gracilis	R. Brown
H. pusilla	R. Brown
Cladium, R. Brown	
C. Mariscus	R. Brown
C. Filum	R. Brown
Chapelliera, Nees	
C. glomerata	Nees
C. juncea	Nees
C. articulata	Nees
Lepidosperma, Labillardière	
L. gladiatum	Labillardière
L. clatus	Labillardière
L. longitudinale	Labillardière
L. exaltatum	Labillardière
L. squamatum	Labillardière
L. lineare	R. Brown
L. canaliculatum	Ferd. Mueller
L. filiforme	Labillardière
L. tenuissimum	Ferd. Mueller
Chætospora, R. Brown	
C. axillaris	R. Brown
C. nitens	R. Brown
Schœnus, R. Brown	
S. pogonolepis	Ferd. Mueller
Gahnia, Forster	
G. sulcata	Ferd. Mueller
G. trigrammocarpa	Ferd. Mueller
Psittacoschœnus, Nees	
P. melanocarpus	Nees
P. erythrocarpus	Nees
P. phæocarpus	Ferd. Mueller
Uncinia, Persoon	
U. tenella	R. Brown
Carex, Linné	
C. inversa	R. Brown
C. chlorantha	R. Brown
C. appressa	R. Brown
C. vulgaris	Fries
C. breviculmis	R. Brown
C. longifolia	R. Brown
C. Pseudocyperus	Linné

GRAMINEÆ, JUSSIEU.

Sporobolus, R. Brown	
S. Indicus	R. Brown
S. Matrella	Nees

Agrostis, Linné	
A. parviflora	R. Brown
A. scabra	R. Brown
A. æmula	R. Brown
A. nivalis	Ferd. Mueller
A. frigida	Ferd. Mueller
A. lobata	R. Brown
A. quadriseta	R. Brown
Dichelachne, Endlicher	
D. crinita	Ferd. Mueller
Cinna, Linné	
C. ovata	Kunth
Polypogon, Desfontaines	
P. imitans	Ferd. Mueller
Stipa, Linné	
S. micrantha	Cavanilles
S. flavescens	Labillardière
S. semibarbata	R. Brown
Danthonia, Candolle	
D. pilosa	R. Brown
D. robusta	Ferd. Mueller
D. silvestris	Ferd. Mueller
Trisetum, Persoon	
T. antarcticum	Trinius
Avena, Linné	
A. hydrophila	Ferd. Mueller
*A. fatua	Linné
Bromus, Linné	
B. arenarius	Labillardière
Vulpia, Gmelin	
V. rectiseta	Nees
V. scabra	Nees
Festuca, Linné	
F. litoralis	Labillardière
Glyceria, Brown	
G. fluitans	R. Brown
Dactylis, Linné	
*D. glomerata	Linné
Eragrostis, Beauvois	
E. parviflora	Trinius
E. lacunaria	Ferd. Mueller
E. Brownii	Kunth
Poa, Linné	
P. Australis	R. Brown
P. Behriana	Ferd. Mueller
P. tenera	Ferd. Mueller
**Poa*, annua	Linné
P. distichophylla	R. Brown
Briza, Linné	
*B. minor	Linné
Phragmites, Trinius	
P. communis	Trinius
Chloris, Swartz	
C. truncata	R. Brown
Cynodon, Richard	
C. Dactylon	Richard
Panicum, Linné	
P. lævinode	Lindley
P. melananthum	Ferd. Mueller
P. lacunarium	Ferd. Mueller
P. marginatum	R. Brown
P. spinescens	R. Brown
Setaria, Beauvois	
S. glauca	Beauvois
Isachne, R. Brown	
I. Australis	R. Brown
Phalaris, Linné	
*P. minor	Retz
Spinifex, Linné	
S. hirsutus	Labillardièr
Alopecurus, Linné	
*A. geniculatus	Linné
Anthistiria, Linné	
A. Australis	R. Brown
Erianthus, Richard	
E. Mitchelli	Ferd. Mueller
Imperata, Cyrillo	
I. arundinacea	Cyrillo
Hemarthria, R. Brown	
H. uncinata	R. Brown
Tetrarrhena, R. Brown	
H. acuminata	R. Brown
T. contexta	Ferd. Mueller
Microlæna, Brown	
M. stipoides	R. Brown
Lolium, Linné,	
*L. perenne	Linné
*L. temulentum	Linne
Hordeum, Linné	
*H. murinum	Linné

ACOTYLEDONEÆ.

FILICES, JUSSIEU.

Nothochlæna, R. Brown	
N. Distans	R. Brown
Grammitis, Swartz	
G. Australis	R. Brown
Gymnogramme, Desvaux	
G. rutæfolia	Hooker & Greville
Polypodium, Linné	
P. Billardierii	R. Brown
P. Grammitidis	R. Brown
Aspidium, Swartz	
A. proliferum	R. Brown
A. coriaceum	Swartz
Asplenium, Linné	
A. obtusatum	Forster
A. flabellifolium	Cavanilles
A. laxum	R. Brown
Doodia, Brown	
D. caudata	R. Brown
Blechnum, Linné	
B. striatum	Swartz
Lomaria, Willdenow	
L. Patersoni	Sprengel
L. fluviatilis	Sprengel
L. lanceolata	Sprengel
L. falcata	Sprengel
L. minor	Sprengel
L. procera	Sprengel

Appendix No. 6.

VICTORIA.

Pteris, Linné	
P. vespertilionis	Labillardière
P. falcata	R. Brown
P. esculenta	Forster
Adiantum, Linné	
A. assimile	Swartz
Cheilanthes, Swartz	
C. tenuifolia	Swartz
Lindsæa, Dryander	
L. linearis	Swartz
Davallia, Smith	
D. dubia	R. Brown
Dicksonia, L'Heritier	
D. antarctica	Labillardière
Alsophila, R. Brown	
A. Australis	R. Brown
Trichomanes, Smith	
T. venosum	R. Brown
Hymenophyllum, Smith	
H. flabellatum	Labillardière
H. nitens	R. Brown
H. cupressiforme	Labillardière
Gleichenia, Smith	
G. microphylla	R. Brown
Gleichenia, dicarpa	R. Brown
G. tenera	R. Brown
Schizæa, Smith	
S. fistulosa	Labillardière
S. bifida	Swartz
Osmunda, Linné	
O. barbara	Thunberg
Ophioglossum, Linné	
O. graminifolium	Willdenow
Botrychium, Swartz	
B. Australe	R. Brown

LYCOPODINEÆ, SWARTZ.

Psilotum, Swartz	
P. truncatum	R. Brown
Lycopodium, Linné	
L. densum	Labillardière
L. pleurostachyum	Ferd. Mueller
L. uliginosum	Labillardière
L. musciforme	Ferd. Mueller

MARSILEACEÆ, R. BROWN.

Azolla, Lamark	
A. pinnata	R. Brown
A. rubra	R. Brown
Marsilea, Linné	
M. quadrifolia	Linné

FURTHER PAPERS

RELATIVE TO THE

DISCOVERY OF GOLD

IN

AUSTRALIA.

(In continuation of Papers presented December 1854.)

Presented to both Houses of Parliament by Command of Her Majesty,
July 1855.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1855.

978

SCHEDULE.

NEW SOUTH WALES.

NEW SOUTH WALES.

DESPATCHES FROM GOVERNOR GENERAL SIR C. A. FITZROY.

Sir C. A. Fitzroy.

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The Right Hon. Sir G. Grey, Bart.

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VICTORIA.

VICTORIA.

Sir C. Hotham.

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VICTORIA.

Sir C. Hotham.

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The Right Hon. Sir G. Grey, Bart.

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VAN DIEMEN'S LAND.

VAN DIEMEN'S LAND.

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WESTERN AUSTRALIA.

Governor Fitzgerald.

WESTERN AUSTRALIA.

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NEW SOUTH WALES.

NEW SOUTH WALES.

Despatches from Governor-General Sir C. A. FitzRoy.

No. 1.

No. 1.

Copy of a DESPATCH from Governor-General Sir C. A. FitzRoy to the Right Hon. Sir George Grey, Bart.

(No 136.)

Government House, Sydney,
September 16, 1854.
(Received December 5, 1854.)

Sir,

I have the honour to enclose the following returns for the quarter ended on the 30th June last.

1st. Return showing the quantity and value of gold exported; gold brought to Sydney; and the number of licences granted to dig, search for, and remove gold; to erect temporary buildings, tents, &c., and to carry on business in any way at the Gold Fields.

2d. Return of the quantity of gold exported from the colonies of New South Wales and Victoria.

2. The total amount brought to Sydney by escort and mails during the quarter was 29,965 oz. 1 dwt. 3 grains. The licences to dig, &c. amounted to 6,279*l.* 15*s.*, not including the leases to work auriferous veins, the royalty on matrix gold, or the conveyance of gold by escort.

3. The gold exported from Sydney during the quarter was 85,132 oz. 4 grs. 5 dwts., value 276,679*l.* 13*s.* 7*d.*, but this includes the amount brought from Victoria.

I have, &c.
(Signed) CHARLES A. FITZROY.

The Right Hon. Sir G. Grey, Bart.,
&c. &c. &c.

Enclosure 1 in No. 1.

NEW SOUTH WALES.

RETURN showing the Quantity and Value of gold exported,—Gold brought to Sydney,—and the Number of Licences granted to mine and dig for Gold, to erect temporary Buildings, Tents, &c., and carry on Business in any way at the Gold Fields, &c. &c., and the Amount received from the same,—during the Quarter ended 30th June 1854.

Gold exported.		Gold brought to Sydney.					Licences.					Fees on Registration of Claims.	Fees on Transfer of Claims.	Leases to work Auriferous Quartz Veins.		Amount of Royalty on Matrix Gold.	For the Conveyance of Gold per Government Escort.	Total Amount received during the Quarter.
							Crown Lands		Private Lands.	Total Number of Licences issued.	Total Amount received for Licences.							
Quantity.	Value.	From what District.	By the Government Escorts.	By the Post Office Mails.	Total.		To mine and dig. 10s. each Monthly.	To erect Temporary Buildings for the purposes of Trading, &c. 10s. each Monthly.	To mine and dig. 5s. each Monthly.					No.	Amount			
Oz. dwts. grs.	£ s. d.		*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*						£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.
85,132 4 5 *	276,679 13 7	Western	17,151 16 3	437 0 0	17,588 16 3		7,130	591	72	7,793	3,879 0 0	- -	2 0 0	2	50 0 0	51 9 0	514 11 1	4,497 0 1
		Southern	8,981 5 0	1,531 0 0	10,512 5 0		2,651	75	449	3,175	1,475 5 0	- -	- -	-	- -	- -	269 8 9	1,744 13 10
		Northern	- -	1,864 0 0	1,864 0 0		1,821	14	32	1,867	925 10 0	-	- -	-	- -	- -	- -	925 10 0
85,132 4 5	276,679 13 7	Totals -	26,133 1 3	3,832 0 0	29,965 1 3		11,602	680	553	12,835	6,279 15 0	- -	2 0 0	2	50 0 0	51 9 0	783 19 10	7,167 3 10

* Includes a portion of the gold brought from the neighbouring colony of Victoria, but which cannot be distinguished.

Colonial Secretary's Office,
Sydney, July 24, 1854.

C. D. RIDDELL,
Acting Colonial Secretary.

GOLD EXPORTED.

Year.	Quantity.			Value.		
	Oz.	*dwts.*	*grs.*	£	*s.*	*d.*
1851 - - - -	144,120	17	16	468,336	0	0
1852 - - - -	818,751	18	17	2,660,946	0	0
1853 - - - -	548,052	19	21	1,781,172	0	0
1854, to 30th June - -	150,429	15	2	488,896	0	0
Totals - -	*1,661,355	11	8	5,399,350	0	0

* See Note on previous Return.

Encl. 2 in No. 1.

Enclosure 2 in No. 1.

GOLD EXPORTED.

RETURN of the Quantity and Value of Gold Exported from the Colonies of New South Wales and Victoria for the Quarter ended 30th June 1854.

To England.	To Sydney (N. S. Wales).	To New York (United States).	To Ceylon.	To Callao.	To Calcutta.	Total.	Value.
Oz. dwts. grs.	*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*	*Oz. dwts. grs.*	£ *s. d.*
			EXPORTED FROM VICTORIA.				
503,039 16 15	* 10,000 0 0	500 0 0	12,908 7 2	1,200 0 0	2,002 3 7	†529,650 7 0	1,986,188 16 0
EXPORTED FROM NEW SOUTH WALES - -						85,132 4 5	276,679 13 7
Deduct gold exported from Victoria to New South Wales, as above - -						*10,000 0 0	37,500 0 0
Estimated net quantity and value of gold exported, the produce of New South Wales - - - - - - - - -						75,132 4 5	239,179 13 7
Ditto ditto ditto Victoria, as above - - -						†529,650 7 0	1,986,188 16 0
TOTAL FROM BOTH COLONIES - - - -						604,782 11 5	2,225,368 9 7
Estimated net quantity and value of gold exported from both Colonies from 29th May 1851 to 31st March 1854 - - - - -						6,713,699 17 14	23,554,864 5 7
GRAND TOTAL - - - -						7,318,482 8 19	25,780,232 15 2

C. D. RIDDELL,
Acting Colonial Secretary.

Colonial Secretary's Office,
Sydney, July 24, 1854.

NEW SOUTH WALES.

No. 2.

No. 2.

Copy of a DESPATCH from Governor-General Sir C. A. FitzRoy to the Right Hon. Sir George Grey, Bart.

Government House, Sydney.
November 1, 1854.
(Received January 30, 1855.)

(No. 153.)

Sir,

I have the honour to enclose the following returns for the quarter ended on 30th September last, viz.:

(1.) Return showing the quantity and value of gold exported, gold brought to Sydney, and the number of licences granted to dig, search for, and remove gold, to erect temporary buildings, tents, &c., and to carry on business in any way at the gold fields.

(2.) Return of the quantity and value of gold exported from the colonies of New South Wales and Victoria during the same period.

2. The total amount brought to Sydney by escort and mails during the quarter was 28,053 oz. 15 dwts. 16 grs. The licences to dig amounted to 5,893*l.* 5*s.* 0*d.*, not including the leases to work auriferous veins, the royalty on matrix gold, and the conveyance of gold by escort.

3. The gold exported from Sydney during the quarter was 49,893 oz. 7 dwts. 12 grs., but this includes the amount brought from Victoria.

4. I also forward copies of the 13th and 14th Reports upon the Geological and Mineralogical Survey, by Mr. Stutchbury.

I have, &c.
(Signed) CHARLES A. FITZROY.

The Right Hon. Sir G. Grey, Bart.,
&c. &c. &c.

Enclosure 1 in No. 2.

NEW SOUTH WALES.

RETURN showing the Quantity and Value of Gold exported, Gold brought to Sydney; and the Number of Licences granted to mine and dig for Gold, to erect temporary Buildings, Tents, &c., and carry on Business in any way at the Gold Fields, &c. &c., and the Amount received from the same during the Quarter ended 30th September 1854.

Gold exported.		Gold brought to Sydney.					Licences.												
							Crown Lands.		Private Lands.										
Quantity.	Value.	From what District.	By the Government Escorts.	By the Post Office Mails.	Total.		To mine and dig. 10s. each monthly.	To erect temporary Buildings for the Purposes of Trading, &c. 10s. each monthly.	To mine and dig. 5s. each monthly.	Total Number of Licences issued.	Total Amount received for Licences.	Fees on Registration of Claims.	Fees on Transfer of Claims.	Leases to work auriferous Quartz Veins. No.	Leases to work auriferous Quartz Veins. Amount.	Amount of Royalty on Matrix Gold.	For the Conveyance of Gold per Government Escort.	Total Amount received during the Year.
oz. dwts. grs.	£ s. d.		oz. dwts. grs.	oz. dwts. grs.	oz. dwts. grs.						£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.
* 49,893 7 12	162,153 9 0	Western	19,240 1 9	336 0 0	19,576 1 9		7,171	595	52	7,818	3,896 0 0	2 0 0	—	5	125 0 0	50 15 6	577 4 5	4,650 19 11
		Southern	5,864 14 7	1,568 0 0	7,432 14 7		2,022	96	577	2,695	1,203 5 0	—	—	–	—	—	175 18 9	1,379 3 9
		Northern	—	1,045 0 0	1,045 0 0		1,519	13	112	1,644	794 0 0	—	—	3	75 0 0	—	—	869 0 0
49,893 7 12	162,153 9 0	Totals -	25,104 15 16	2,949 0 0	28,053 15 16		10,712	'704	741	12,157	5,893 5 0	2 0 0	—	8	200 0 0	50 15 6	753 3 2	6,899 3 8

Colonial Secretary's Office,
Sydney, 1st November 1854.

C. D. RIDDELL,
Acting Colonial Secretary.

GOLD EXPORTED.

Year.	Quantity.			Value.		
	oz.	dwts.	grs.	£	s.	d.
1851 - -	144,120	17	16	468,336	0	0
1852 - - -	818,751	18	17	2,660,946	0	0
1853 - - -	548,052	19	21	1,781,172	0	0
1854 to 30th September -	200,323	2	14	651,049	0	0
Totals - -	*1,711,248	18	20	5,561,503	0	0

* Includes a portion of the gold brought from the neighbouring colony of Victoria, but which cannot be distinguished.

Enclosure 2 in No. 2. Encl. 2 in No. 2.

GOLD EXPORTED.

RETURN of the Quantity and Value of Gold exported from the Colonies of New South Wales and Victoria, for the Quarter ended 30th September 1854.

To England.	To Adelaide, South Australia.	To Calcutta.	To Ceylon.	Total.	Value.
oz. dwts. grs.	oz. dwts. grs.	oz. dwts. grs.	oz. dwts. grs.	oz. dwts. grs.	£ s. d.
EXPORTED FROM VICTORIA.					
494,434 18 2	300 0 0	393 15 16	23,004 0 0	518,133 3 0	2,033,033 0 0
EXPORTED FROM NEW SOUTH WALES - -				49,893 7 12	162,153 9 0
TOTAL FROM BOTH COLONIES - - -				568,026 15 12	2,195,186 9 0
Estimated net quantity and value of gold exported from both colonies from 29th May 1851, to 30th June 1854 - -				7,318,482 8 19	25,780,232 15 2
GRAND TOTAL - - - - -				7,886,509 4 7	27,975,419 4 2

Colonial Secretary's Office, Sydney,
1st November 1854.

C. D. RIDDELL.

Enclosure 3 in No. 2. Encl. 3 in No. 2.

COPY of a LETTER from the GEOLOGICAL SURVEYOR to the COLONIAL SECRETARY.

Geological and Mineralogical Survey.

SIR, Camp, Pine River, May 20, 1854.

I HAVE the honour to transmit for his Excellency the Governor-General's information, my thirteenth Report upon the Geological and Mineralogical Survey of the colony of New South Wales, accompanied by maps and sections especially illustrating the coal fields in the neighbourhood of Ipswich and Brisbane.

I have, &c.

The Hon. the Colonial Secretary. (Signed) S. STUTCHBURY.

REPORT.

IN my last Report I stated that I had been unable to visit the northern islands of Moreton Bay, not having recovered from the effects of change of diet and air, as therein mentioned; since then I again visited the bay, and on my way down, stopped at the "Stone Quarries," situate in the parish of Bulimba, about eight miles down the Brisbane River, on the south side, where I had before observed coal in the banks, upon land belonging to Mr. Charles Coxen. The coal presents a weathered surface of nearly ten feet in thickness, the strike east ten degrees north, dip north fifteen degrees west, angle six degrees. The strike and dip would give it an extension of south and west, but it is cut off by a small gully running eastward, but may be again found on the rising ground further

NEW SOUTH WALES.

east. It is divided by bands of loose shale—its dip being towards the river, and about twenty feet above high water, gives it, if it should upon driving into it turn out good, a great advantage as regards its shipment, and the slope of the sandstone below being at the moderate angle of six degrees, presents no difficulty in the formation of wharves. From its position being so near to Moreton Bay, its presence must, in a considerable degree, advance the value of land in this neighbourhood, as compared with that upon which coal is now but slightly worked thirty miles higher up the river.

Crossing the bar of the river, which is of sandstone, I kept the western shore, rounding Luggage Point—"Uniacke."* At this point the conglomerate shows itself strongly similar to that at Dunwich, on the Island of Stadbroke; and I have but little doubt that coal would be found by sinking to a very moderate depth. Continuing along the west coast, nothing but sandstone presents itself, each of the outstanding rocky reefs being composed of the hard, ferruginous conglomerates, such as Ningerycum, Red Cliff, Cootarumba, and the other reefs running into the bay as far as Toorbul Point. At this point I entered the inner channel dividing Bribie's Island from the main land of Ningy-Ningy.† About eight miles up the channel the water shallows so much as scarcely to give water enough at half tide for a boat, exhibiting a subaqueous ridge from the main land to Bribie's Island, occasioning a division of the tidal waters, which here separate, running north and south upon the ebb, and rising south and north upon the flood. North of this there is a labyrinth of islands composed of patches of hard sandstone and conglomerates. A good section of the sandstones replete with fossil timber, many of them the remains of large trees, some erect, but the majority prostrate, perfectly imbedded in the sandstone, and highly charged with iron, may be seen on the main land at Coolowndra, opposite the northern talus or "spit" of Bribie's Island. Proceeding until I had rounded Point Wickham in the first small bight north of the point, a vein of coal one foot thick exhibits itself.

My camp being fixed upon the northern end of the island of Bribie, I had a full opportunity of examining the whole of it, not only by traversing its diameter at many parts, but also by an examination of its shore, and found nothing differing in it from the sandstones of the main land and islands belonging to the bay, previously described; but as facts cannot be too numerously given to establish a condition or theory, I may state that the whole of the eastern seaward coast is composed of the purest sand‡ with scarcely a pebble intermixed—an east and west section showing in a line of one quarter of a mile in length several distinct parallels of shore,—a further instance of the fact of upheaval.

The only hard rocks forming reefs belonging to this island, are those at Skirmish Point, on the south end. After several days' delay from bad weather I returned to Brisbane.§

Upon my return to Brisbane I took the earliest opportunity of removing my camp on its route for the northward; but the weather continued so exceedingly wet that I found it impossible to get beyond the crossing of Kedron Brook, at which place I received his Excellency's command that I should give particular attention to the coal around Ipswich, for the purpose of ascertaining whether a Royalty could be imposed.

Therefore, upon receiving these instructions, I removed my camp for safety near to a station situated on the South Pine River, and as soon as the weather permitted, commenced an examination of the coal fields along the banks of the Brisbane and Bremer Rivers, by tracing the Brisbane upon the north side, until opposite Compassenby. In the description which follows I shall, for the present, pass unnoticed all matters not immediately connected with the question regarding coal, resuming this part of the general survey subsequently.

Having returned to Brisbane for the purpose of getting a new departure, I reached the first coal "crop," in the parish of Moggil, on Mr. Williams's purchased land of sixty acres, Mr. Williams, as I have before mentioned, being the first person who has to any extent adventured in the coal trade. At this place I found the coal exposed on the river bank, near the water's edge.

The works have been commenced by a "day level" running in from the bank, the principal "way" being six feet high by six feet wide. The "top way side" is not worked to any great extent, in consequence of the very thin covering of the superstrata. The "deep way" workings are more extensive, being about sixty yards down from the head of the "horse way."

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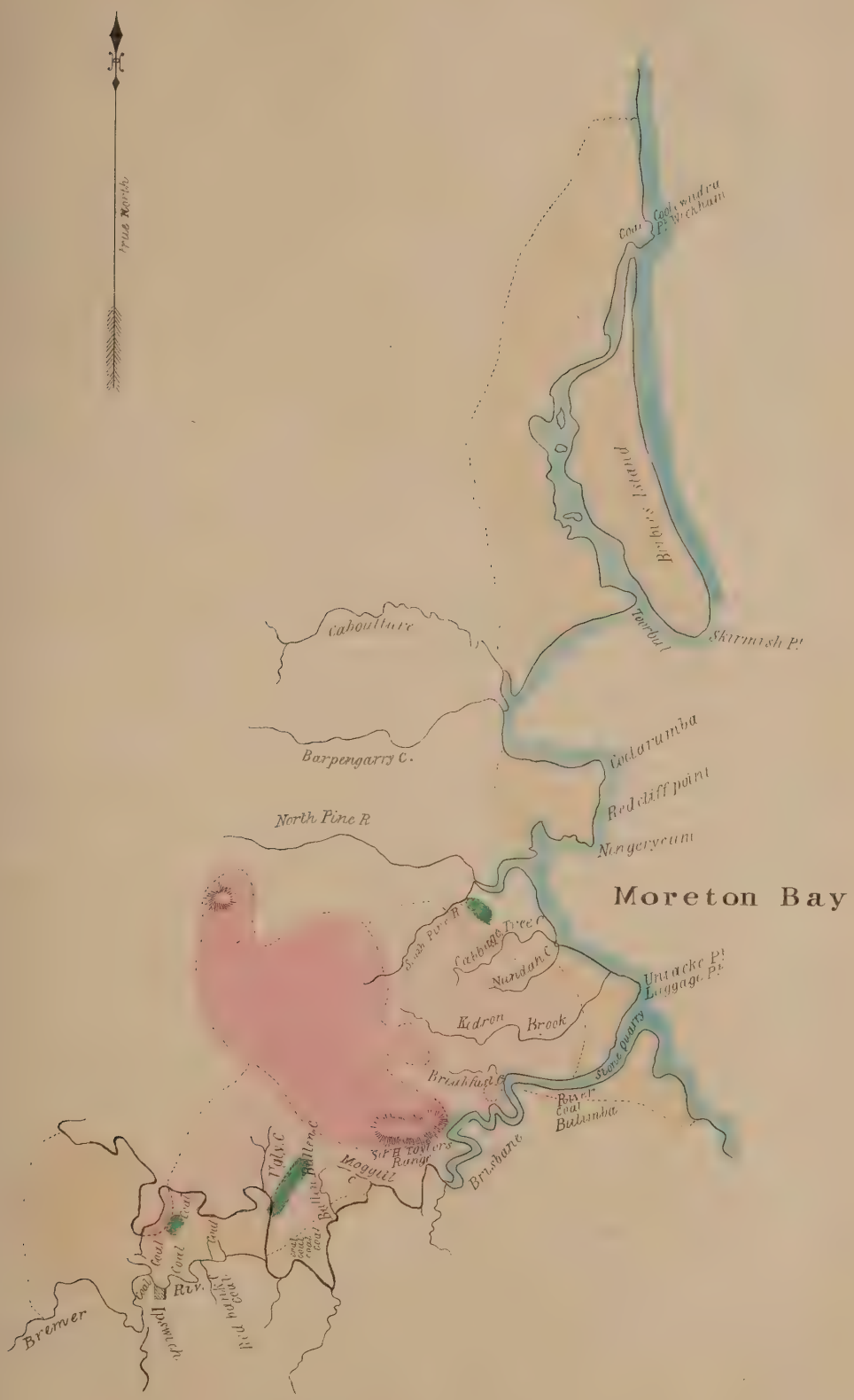
* Here I had further evidence of the rising of the land, as mentioned in my last Report, from observations made at Peel Island; in this case I found the remains of a skeleton of an exceeding large whale which had been thrown whole upon the beach: it was much decomposed, every cell in the bones being filled with mud, and deposited just within the verge of the present high water mark, in fact in such a situation that it would have been impossible for the highest waves to have rolled it from deep water over the extensive shoals which lie out in this direction. The state of the bones, its position, combined with many other circumstances, is sufficient in my mind to establish, if further evidence was required, that the land has been elevated within a very recent geological period.

† Ningy-Ningy is the native name for the rock oyster (*ostrea* ———), and on these shores they certainly were most abundant.

‡ The sand of the whole of the *dunes* of the large islands in the bay is so pure, that I am certain were ships to be in want of dead weight or ballast, it would repay the taking it on board, for the manufacture of glass.

§ Having sojourned upon this island for a fortnight, notwithstanding the reports promulgated against the natives, which formerly might be well deserved, I cannot leave them without recording that I received from them the greatest kindness, and in fact they appeared to me the most courteous natives I had hitherto met with.

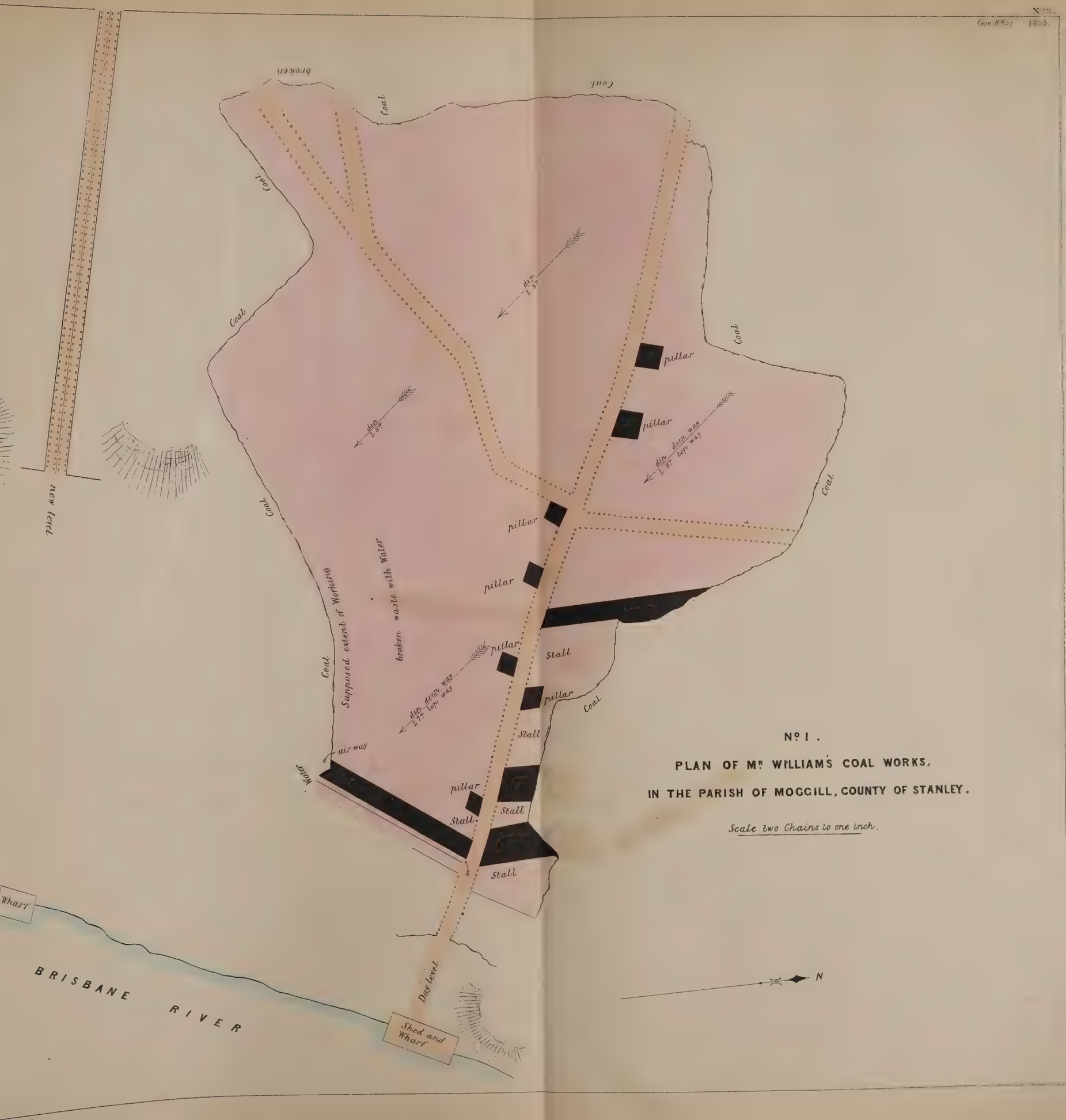


Scale eight miles to one inch.

Arrowsmith Lith.

PLAN
SHEWING THE "COAL CROPS"
OF THE RIVERS BRISBANE & BREMER
Scale 1 inch=1¼ Miles.
Sandstone
Limestone
Schistose rocks
Trap rocks
PARISH OF KHOLO
PARISH OF MOGGILL
PARISH OF OXLEY
PARISH OF CHUWAR
PARISH OF GOODNA
PARISH OF IPSWICH
PARISH OF BUNDANBA
PARISH OF PURGA
RIVER BRISBANE
BREMER R.
Campassonby Coal
Coal
Coal falls
Coal diagram No 1
Coal diagram No 2
Coal diagram No 3
Coal diagram No 8
Coal & Iron diagram No 1
Coal Alluvium
Coal dia No 5
Coal dia No 6
Coal dia No 7
Coal dia No 8
Ipswich
Bundanba C.
Red Bank C.
Wolston C.
Williams
Bullen C.
Bullen
Moggill C.
Woogaroo C.
Deebing C.
Purga C.
R. J. Smith
N

wsmith, Lith.



No. 1.

PLAN OF Mr. WILLIAM'S COAL WORKS,

IN THE PARISH OF MOGGILL, COUNTY OF STANLEY.

Scale two Chains to one inch.

The coal varies from five to six feet in thickness, dipping south forty degrees east, angle from seven to eight degrees, although not worked to its whole thickness, excepting where they wanted head-room for the "horse way." The main coal separates from the top coal at about four feet; the two feet of the top coal is good, but mixed with a small quantity of earth; it has not been worked, because the men would not take the trouble to "hand-pick" it. I therefore consider that the proprietor has lost at least one-third.

From the want of knowledge of coal working in master and men, I have never in my experience seen such want of care, and consequent waste; the neglect in proper timbering (inexcusable where timber is to be procured by the mere labour of cutting and fetching it) has rendered the whole extent of the "deep side" workings a broken waste, with much water.

The water that I saw was consequent upon the late rains, which had filtered down the cracks and fissures which pass upwards from the broken mine to the grass land; yet notwithstanding that they have been troubled with water, they have had the benefit of a free ventilation by means of the same fissures, the ventilation not having been provided for in any other way.

Much of the surface land is in progress of settling down into the "wastes" of the mine; in one instance the distance between the coal working and the surface is only nine feet, which having fallen in, has formed an admirable air-shaft.

I may here mention, that I think it injudicious in the majority of instances to commence a coal work by means of a "day level" in the coal itself, especially as in the case now before us, for the following reasons:—1st, from the disintegrated state of the strata and the coal by the action of the atmosphere, it is very difficult to support the entrance; and the coal is not generally saleable until they have gone some considerable distance in. 2d, the mine is very likely to be flooded from the surface water entering the open adit, or by an extraordinary rise in the river; whereas, if they had sunk a shaft some distance away from the outcrop, solid ground would have been obtained, the coal at once good and saleable, besides obviating the difficulties likely to be met with under the foregoing circumstances.

Mr. Williams is now driving for a new work on the deep side of the former, which promises to be carried out on a better and more economic system, and which, I doubt not, will be much more beneficial to himself and the consumer.

I cannot properly apply the term "system," in the mode adopted as yet, in working coal in this district, for it is neither "pillar and stall" nor "broadwall," but merely dragging the coal out, without regard to any established rule; nothing but an easy yield, and high price, could have made the works pay.

Notwithstanding these drawbacks, too much credit cannot be given to Mr. Williams as the first adventurer in this important branch of business. I can only regret that his want of knowledge, and the difficulty of getting a competent overseer and workmen, should have rendered his profits so much less than they ought to have been, independent of the loss of much valuable fuel. I have appended a plan of the Moggil Coal Works, which will show the rude manner in which the works have been carried on.

The coal extending deepways beyond Mr. Williams's purchased land, belongs to the Crown, and can only be worked by means of pits, aided by efficient machinery. The same must be the case with regard to the working of the coal on the opposite side of the river.

In a creek about one mile south-west from Williams's, I observed four seams of coal, varying from six inches to two feet, and four feet six inches in thickness, the strike of the latter being north twenty-five degrees west, dip south eighty degrees east, angle twenty degrees.

At Prior's Creek, nearly opposite to Woogaroo Creek, the sandstone and coal exhibits a singular "turn over." (Vide diagram No. 3.) The strata dip south forty degrees east, angle seven degrees.

One mile south-west from Prior's Creek the coal crops out in the face of the north bank of the Brisbane River, also dipping south forty degrees east, angle seven degrees. This place may be considered as one of the few exceptions in favour of "day level" working, as there is a fine creek and easy access to the river, the main coal being ten or more feet thick, situate sixty feet above the river's edge. (Vide diagram No. 2.)

On, a short distance from Prior's Pocket the slate rocks are seen, near to the river, and extending westward, crossing Ugly Creek and the Brisbane River, near Compassenby, having been upheaved by a belt of trap rock, trending nearly north and south, on the north side of the Brisbane, while on the south side of the river, amidst the slate there is a large mound of trap, which has converted the neighbouring slates into jasper, and is, no doubt, the cause of the numerous dislocations so well shown in the precipitous sandstone and conglomerate cliffs of the south side of the Brisbane, between Compassenby and the junction of the Bremer. In the bight of the river Brisbane, near Compassenby, coal exhibits itself in the river bank twelve feet thick.

Crossing the table land which separates the Brisbane from the Bremer, I followed a tributary of the Bremer River to near Mr. R. J. Smith's boiling down establishment, the whole being composed of sandstone and conglomerate, and unquestionably valuable mining ground.

In the second creek west of Mr. Smith's establishment, and between three and four hundred yards north of where the Ipswich road crosses the creek, there is a thick seam of coal, bearing north seventy-five degrees west, dip south fifteen degrees east, angle ten

NEW SOUTH WALES.

degrees; also several bands of iron ore, technically known in Wales and Staffordshire as "blue pins;" the coal and seams of iron ore being accompanied by a good fire clay very valuable for furnace work. (Vide diagram No. 4.)

20 feet coarse sandstone.
1 foot shales.
2 feet coal
16 feet fire clay and shales.
6 inches argillaceous iron ore ("blue pins").
6 feet shales.
9 inches argillaceous iron ore.
3 inches fire clay.
2 feet shales.
3 inches iron ore, not worth working.
Shales unknown.

Proceeding up the right bank of the Bremer, the first coal that exhibits itself is on the allotments lately sold and now known by the name of the "coal allotments," many scratchings (I cannot call them workings) have been made at various times, in the bank for coal, and deserted, but why, I cannot imagine, as there is an abundance of good coal which merely requires to be brought out.

Mr. Pettigrew is engaged in sinking a pit on one of these allotments—these allotments amount to 275 acres; there is coal upon the whole of the alienated lands, on both sides of the river, and of which a tracing was forwarded to me from the Surveyor General's Office. Observing on the tracing referred to (the only one sent me), that there was a wharf reserve, upon examining which, and crossing the small creek I found the remains of an old coal work (the coal being more than eleven feet thick, divided by a few thin seams of fire clay) the bearing or strike north twenty degrees west, dip south fifteen degrees east, angle eleven degrees thirty minutes. The coal has not been bottomed, and therefore may prove to be of greater thickness, at present the section is as follows, in descending order:

	ft.	in.
Fine sandstone	30	0
Fire clay, valuable for furnace work	4	0
Fire clay and coal intermixed, not regularly bedded	1	6
Coal	0	5
Fire clay	0	1
Coal	0	4½
Fire clay	0	3½
Coal	0	5½
Fire clay	0	0¾
Coal	0	9
Fire clay	0	6
Coal	0	1½
Fire clay	0	1
Coal	0	1½
Fire clay	0	1
Coal	1	0
Fire clay	0	2
Coal	1	6
Fire clay	0	1
Coal	2	3
Fire clay	0	3½
Coal	2	1
Fire clay	0	3
Coal	thickness unknown	

(Vide diagram, No. 5.)

From this a canal or tramway, one hundred and ninety yards in length, would deliver coal for shipment into lighters. (Vide plan No. 6.)

Nearly opposite the above, in the creek, there is a seam of coal two feet thick, bearing north seventy degrees west, the creek for some extent follows the course of a line of fault. About one mile north-east of the thick coal above described, it may again be seen in several of the ramifications of the creek, while the ranges north of the "coal allotments" are strewed with nodular iron ore, resulting from the breaking up of the denuded seams.

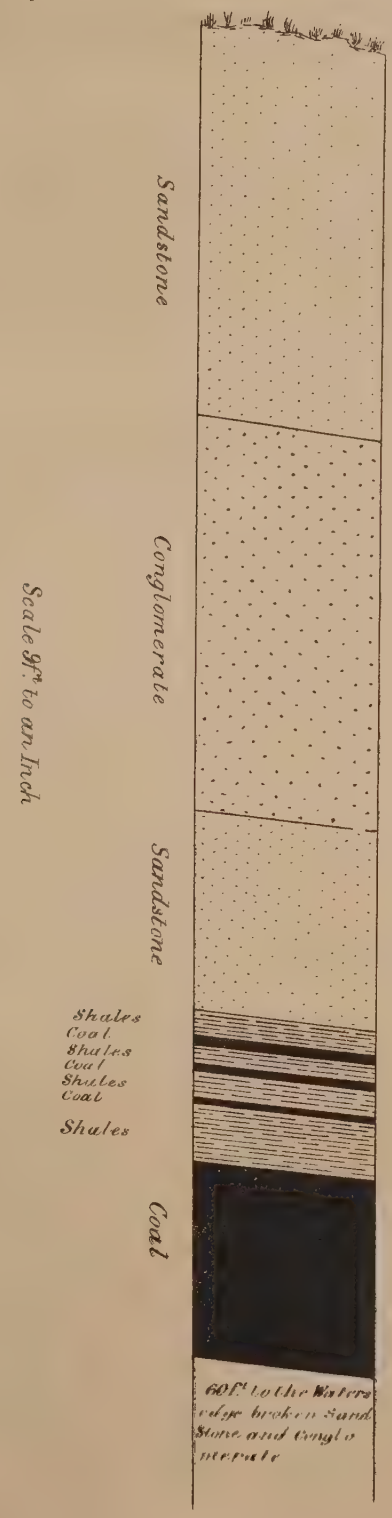
Having crossed the Bremer River at the ford one mile above the old crossing place, known as the "coal falls," I continued the examination of the coal field by tracing down the Bremer and Brisbane Rivers upon their southern banks; the first coal visible is in a little creek belonging to or adjoining Mr. M'Intyre's purchased land, but whether alienated or not I could not learn, as the Commissioner at Ipswich was not in possession of maps showing the whole of the lands sold. I need not go into any detail of the section exhibited in the creek, as the diagram, which is carefully compiled and delineated, will give at sight a much better idea than the most laboured description. The diagram in question, No. 7, is projected vertically from accurate longitudinal measurements along the bed of the creek;

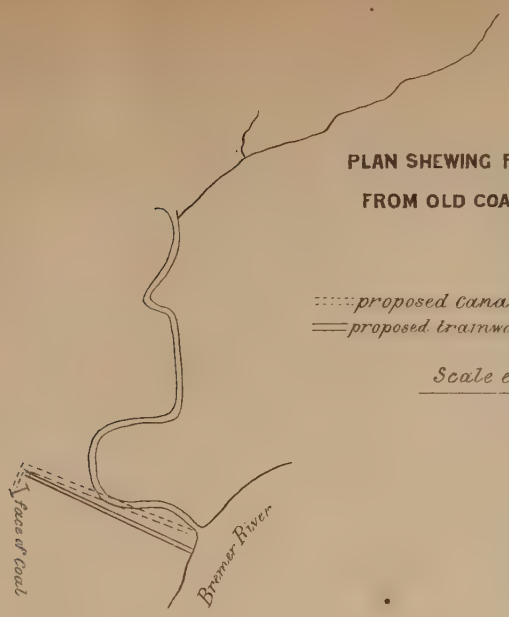
No 3.

SECTION SHEWING "TURN OVER," IN A CREEK HALF A MILE FROM WILLIAM'S COAL WORKS, S.W.

No 2.

SECTION OF COAL NEAR "PRIORS POCKET," BRISBANE RIVER. MARKED A ON MAP.





No 6.

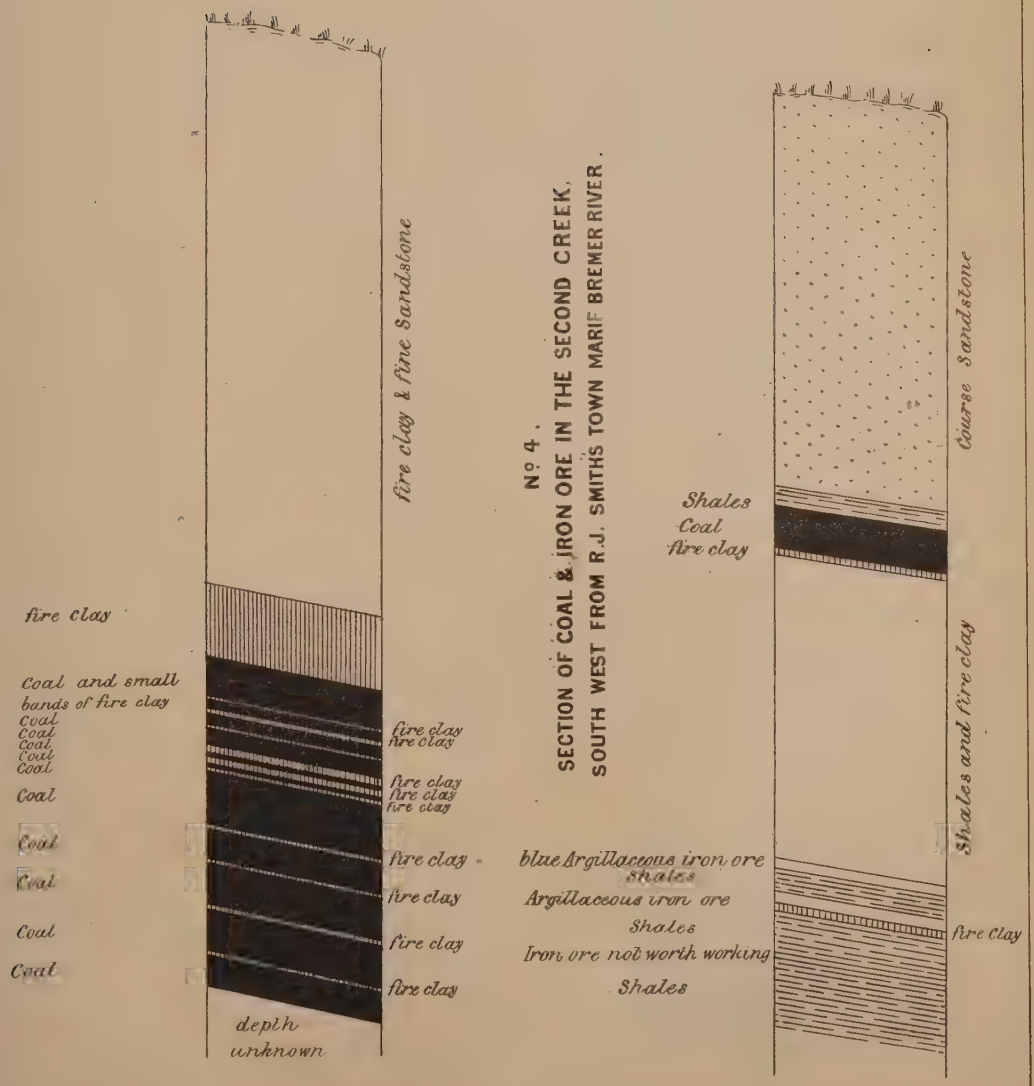
PLAN SHEWING PROPOSED CANAL OR TRAMWAY, FROM OLD COAL WORKS TO DEEP WATER.

::::::proposed canal
═══proposed tramway

Scale eight Chains to an inch

VERTICAL SECTIONS, SHEWING COAL ON THE BREMER RIVER.

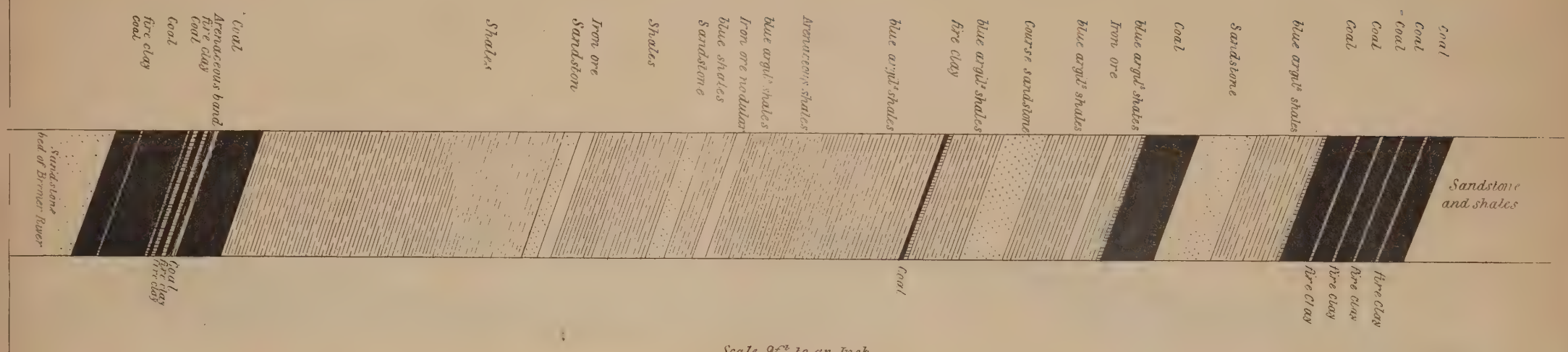
Scale 9 ft. to an inch.



SECTION OF OLD COAL WORKS NEAR COAL WHARF RESERVE, BREMER RIVER.

Nº 7.

VERTICAL SECTION, DERIVED FROM A HORIZONTAL SURVEY, MADE IN A SMALL CREEK HALF A MILE ABOVE THE "COAL FALLS" ON THE BREMER RIVER.



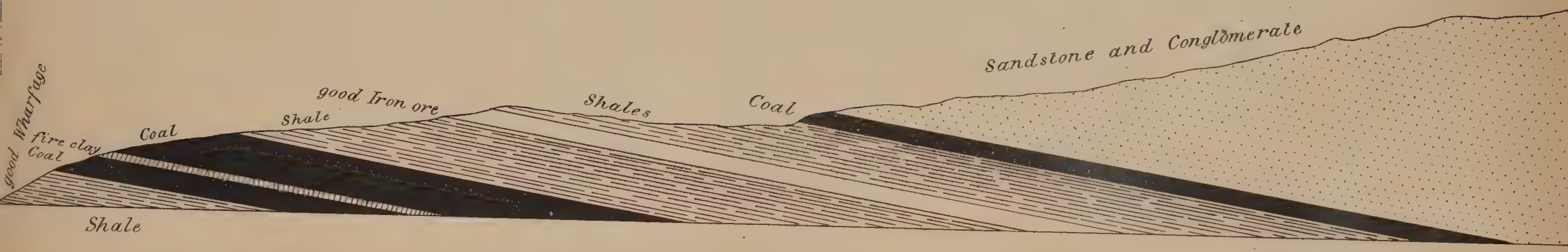
Scale 9ft. to an Inch.

J. Arrosmith. Lith.

Gov. 885j 1855.

Nº 8.

SECTION OF OLD COAL WORKS AT RED BANK, BRISBANE RIVER.



Scale 9ft. to an Inch

J. Arrowsmith, Lith.

the upper nine feet coal is now being inefficiently worked by one white man, aided by a black, who brings it out in a wheelbarrow.

In the bend of the Bremer, at a place known as the "coal falls" (formerly a crossing place), the ford was upon a thick bed of coal exhibited again in the bank, where several openings have been made but not at present worked, the exact thickness could not be ascertained, but it appears to be the same thick seam seen first on the Brisbane, near Compassenby; again in the creek north of the coal allotments on the Bremer, and near the wharf reserve before spoken of.

About two hundred yards below the junction of Red Bank Creek with the Brisbane River, coal again appears in the bank of the river. Several openings have been made into it, but to what extent I could not ascertain, as the mouths of the adits or levels were filled in, but from the small size of the spoil heaps near, it could not have been much worked; the coal dips south eighty east, angle eight degrees. (See diagram No. 8.) At this part of the river there are good situations for wharves, with deep water.

I have now enumerated and described the coal so far as I believe it to be visible, and I take this opportunity of observing that parties in the neighbourhood have not neglected the opportunity of purchasing land where coal "cropt" out, thus securing to themselves the most available spots where it could be immediately obtained, yet, considering the demand and the frequent delay, even to their own steamboats, I am greatly surprised at their supineness in allowing one person only to supply them. Should the coal trade of this northern por increase (which it undoubtedly will), the Government have it still within their power to sell, lease, or let to parties who have the skill, capital, and energy, tracts of land which, properly worked, would supply for ages all that could possibly be demanded of them, either for home consumption or for export.

With regard to the mode by which this valuable land should be disposed of, it would be an act of supererogation in me even to suggest anything, but I am sure it is within my province to state my opinion, that, upon whatever terms it may ultimately be disposed of, the Government should reserve the right (now and for ever) of inspection by their agents, so that the works shall not only be carried out upon well regulated systems, or principles, for the protection of life, as also for the economic value of the coal to the common weal; for once lost or wasted it can never be recovered; and further, that all parties working mines should be obliged, under certain penalties, such as forfeiture of lease, or otherwise, to keep accurate plans of the workings as they are proceeded with, and forward periodically copies of the same, to be deposited as records in any place of safety that his Excellency may think proper.

I do not deem it necessary at this time to enter further than I did in my last report upon the mode of working or upon the question of royalty, as I am informed that the Government have already imposed a royalty in other parts of the colony. If accurate information be required upon this subject, I would suggest that a letter be addressed to the Commissioners of Woods and Forests for copies of the last leases granted under the Duchy of Cornwall, as being those of late date and carefully collated by the law officers of the Crown.

Upon my return to Brisbane I learnt that there was to be a land sale the next day, May the 12th, and that among the suburban lots to be offered there were several at Bulimba, these being in close proximity with those described in the first page of this report, viz., near the "Stone Quarry." I thought it my duty, in accordance with my instructions, paragraph 7, and his Excellency's late commands regarding a probable reservation upon lands containing coal, to write to Captain Wickham, the Government resident, suggesting for his consideration the propriety of withdrawing from the present sale such lots as were in the parish of Bulimba, and which were upon my suggestion withdrawn until his Excellency's opinion be made known.

At the present moment my attention has been particularly directed to such portions only of the coal field as are likely to be brought into work within a limited period, although I am well aware that the coal field extends over a very extensive area. It is known to exist on the Albert and Logan Rivers, in the Ningy Ningy Creek, and other places, but not within a chance of being made available for some considerable time, yet perhaps, if any general law is established reserving coal and iron, the whole of the country which I have coloured as sandstone would come within such a category. If the principle of a royalty reserve is to be made general regarding all minerals, in such case any subdivision will not be necessary.

Having previously reported upon the schists or slaty rocks of South and North Brisbane, and upon the impossibility of gold in any remunerative quantity being found in the immediate neighbourhood of Brisbane; I may add a few arguments why a country apparently having all the geological constituents of a gold field should yet be unproductive. There is abundance of schist and quartz, together with trappean rocks, but the condition and arrangement of the quartz is different to that in the ascertained gold localities. In this instance the quartz is intimately, I may say homogeneously, mixed with the slate rocks, not arranged in linear parallels of veins or lodes, therefore not so conditioned as to allow any extensive leading lines for the passage of electro-chemical or other forces supposed to be necessary for the elimination and deposit of metals.

Having moved my camp in a northerly direction from Brisbane, first to the Kedron Brook, and from thence to the South Pine River, I carefully examined the whole of the

NEW SOUTH WALES.

schistose country which lay within my route for gold, but, as I anticipated, without success, paying particular attention to such places where it had been reported that gold had been found, especially the tributaries of Kedron Brook, Cabbage-tree Creek, and the South Pine River, which leads me to assume that the reports were mere fabrications, to secure priority of right to the large reward offered by the people of Brisbane in case it should be found; for the present, therefore, I shall dismiss the question of gold, and proceed to describe the geology of the country.

The dividing ranges between Kedron Brook and Cabbage-tree Creek are of schist, with much intermixed quartz; the same observations apply to all the dividing ranges separating the various creeks, each of which were traced down from their heads, that of Nundah exhibited talcose slate, that on the ridges being semi-jasperized, the schists bearing generally a north thirty degrees west strike, with south thirty west dip, at angles from ten to forty degrees.

Two miles from the crossing of Kedron Brook there is porphyritic granite, extending for fifty yards in breadth, succeeded by slate bearing north thirty-eight degrees west, dip south-westerly, angle forty-five degrees, but very limited. Granite again presents itself for one hundred yards, when a rock similar to that at "Dirreah" Nundawar Range is met with; the remaining part of this range to the highest peaked point of Sir Herbert Taylor's range is of granite, in various stages and varieties: thence south-easterly one mile to another hill south thirty-one degrees east, on the same range, and descending by a north-eastern spur as far as Kedron Brook, the country assumes the same character, viz., granite, while the low lands are schistose.

At Mr. Skyring's station, near the head Kedron Brook, some remarkably fine blocks of granite may be seen standing boldly through the grass. This extends itself in a west-north westerly direction to Mount Sampson and the heads of the Pine River.

Among various minerals shown to me by Mr. Robert Meston, of Brisbane, I observed a specimen of sulphuret of melybdena, which that gentleman informs me was obtained at Nundabheramere, a station formerly occupied by Mr. Gillespie, and lying between Pikedale and Ballenden, about thirty miles north from Tenterfield.

(Signed) S. STUCHBURY.

Encl. 4 in No. 2.

Enclosure 4 in No. 2.

COPY of a REPORT from the GEOLOGICAL SURVEYOR to the COLONIAL SECRETARY.

Geological and Mineralogical Survey.

REPORT XIV.

Camp, Durandur, August 1, 1854.

Resuming my examination from the crossing place on the south branch of the Pine River in a north-easterly direction, the schists extended for two miles, succeeded by sandstone conglomerate, containing much quartz and iron (similar to that observed at Cleveland), occupying a breadth of three miles, resting on the flanks of a range of bald hills, extending northward to the south bank of the river. These hills are formed of a trap rock, of a greyish hue, and covered by an iron sand, (which, if of economic value, could be collected in any quantity). East from the trap range, towards the coast, the country is sandstone.

West from this sandstone, for about a mile and a half, there are green altered slates, passing into hornblende schists, bearing north, and dip at an angle of twelve degrees; these extend to a north-eastern spur of D'Aguilar's Range, dividing the tributaries of the North and South Pine River. This range is composed of granite.

Crossing the North Pine River, and pursuing a northerly course, the schists appear for one mile and one third in breadth, and give place to a large boss of trap rock; this trap rock— five miles in its greatest extent from east to west, and two miles in width—separates the waters of the North River Pine from Meum or Brown's Creek, a branch of the Burpengarry Creek; crossing this boss I found it to be flanked on the north by schists bearing north sixty degrees west, dip south thirty degrees west, angle eight degrees; these extend for five miles. The line of demarcation between it and the sandstone to the eastward is about one mile above the junction of Meum Creek with Burpengarry.

Traced up Meum or Brown's Creek, the schists extend several miles to the westward, until they are found resting upon a granite ridge, trending eastward from the main, or D'Aguilar's Range. Ascending the range from which the creek derives its source, the schists became micaceous, bearing north sixty degrees west; in some instances they are highly altered, more especially seen in the deep water ways and ravines.

Crossing the range which divides Meum Creek from Burpengarry Creek, I found it to be composed of schists similar to those described as occurring between Meum Creek and the Pine River; these schists extend north-westerly, and are flanked on the north and south by granite spurs, extending easterly from D'Aguilar's Range. Beyond Burpengarry Creek the schists extend northward for one mile, and are interrupted by a spur of granite from the main range, which divides Burpengarry from Gregor's Creek. The constituents of this granite are a dark-red felspar base, with green hornblende and quartz, the breadth

of the range being about two miles. This granite is flanked on the north for four miles by talcose and chlorite schists, bearing north, with little or no dip.

Examined Gregor's Creek, which, about six miles above its junction with the Caboulture River, divides into two branches. I found the southern branch wholly schistose, with but little quartz. From thence traced the north or main branch of Gregor's Creek; in this branch the schists are micaceous, talcose, and chloritic, bearing north and south, and dipping west. Serpentine rock is exposed in the north branch, flanked on the north by a granite range, dividing it from the Caboulture River. Between Gregor's Creek and the Caboulture the schists are micaceous, talcose, and chloritic; in the bed of the river the serpentine is again seen in many beautiful varieties, much resembling those at Bingera; among them red serpentine, and black serpentine with green veins, occasionally traversed by amianthus. In prospecting this river, as well as Gregor's Creek, specks of gold, copper pyrites, and tourmalines, were obtained.

In tracing up the Caboulture, the south-western bank exhibits serpentine, diallage, and smaragdite; while on the north-eastern side there is a spur of porphyritic granite—crystals of felspar and pellucid quartz in a felspar base. The schists bear north thirty degrees west, dip south sixty degrees west, angle nine degrees.

Crossing this last spur of granite, talcose, passing into chloritic schists, are found to cover a bifurcation of the same granitic spur, with similar bearing, dip, and angle as those just mentioned.

East from this range the schists are found extending, for eight miles, to the junction of Narrawonga Creek with the Caboulture, and bounded by that creek on the north. Here the sandstone again bays up from the coast.

Heading Narrawonga Creek, near its source, the sandstone still continues, until ascending a north-eastern ridge of the main range dividing the waters of the Nerum Ner m Creek and Stanley River from those of the Caboulture; the range is composed of granite, and extends north-easterly towards the most southern of the Glass House Mountains, until it is met by the sandstone of the coast; descending this range the sandstone again bays up, extending to Durandur, on the Stanley River, and is flanked on the south-west by schists.

Having fixed my camp at Durandur, I took a north-easterly direction towards the Glass House Mountains, first making the largest "Beerwah," the whole distance from the station being over a sandstone country in all its varieties.

These isolated hills are nine in number, the principal of which are known to the aborigines by the following names: "Beerwah," "Canowrin," "Enee," "Turowondown," and "Pyrebah." The names of the others I could not learn.

The peculiar forms and character which the Glass House Mountains present are particularly interesting. At first sight hand specimens might be taken for a fine-grained granite; but examining these *en masse*, and carefully viewing all the attendant circumstances, there can be but small reason to doubt that they are metamorphic sandstones. It is evident that no granitic masses could have been projected in the form they now assume; they must have been surrounded by some supporting material, such as the continuation or extension of the same strata would give, now removed by denudation. Upon careful examination lines of stratification can yet be traced. The largest of the mountains, "Beerwah," presents precipitous faces, especially on its northern and eastern sides, exhibiting semi-basaltic columns, leaning from the base towards the centre. The sandstone rock adjacent is, in many instances, composed of minute crystals of quartz, each crystal being slightly abraded; in other instances it contains mica (similar to our old red sandstone and Pennant grits at home), and much ferruginous matter; whilst Beerwah itself appears in composition, as before stated, like a granitell, with a few crystals of albite superadded. In explanation of the addition of the soda felspar not observable in the surrounding sandstone, I transcribe a passage from the "Geological Observer":—"When, considering the various kinds of "modifications of parts which deposits may sustain from the contact of great masses of "igneous rocks in a fused state, or from descent to the interior of the earth, so that somewhat similar conditions may be produced, it is not a little interesting for the geologist "to direct his attention to those which certain of them would in consequence present. If, "for example, the thick beds of the millstone grits, forming the lower part of the coal "measure series (as this grit occurs in the midland and northern counties of England, "composed of quartz, mica, and felspar, the latter usually decomposed) were exposed to "the conditions for alteration above noticed, the compound would have a granitic appearance; the more especially if the silicates of potash or soda, or both, were introduced "and again united with the remains of the previous felspar. This rock, even as it is, has "often the appearance of a somewhat decomposed granite, as is the case with many sandstones of the coal measure of the British Islands generally."

We can easily imagine that, at a period subsequent to the deposition of the coal measures, there were so many foci of heat as there are now mountains, without the pyrogenous rocks having the power to burst through the accumulated strata of sandstone (Beerwah being from 700 to 800 feet above the level of the plain upon which it stands), but sufficient, by their heat, to induce a metamorphosis in the superincumbent sandstone, giving origin to the crystals of felspar, and causing a solidification of the material, which has to a degree protected it; while those portions of the unchanged surrounding sandstones have been removed to the extent observed between the level of the plains and the tops of the

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existing mountains. The example which Beerwah gives will suffice for the whole. I may also add, that there are numerous fragments of fossil wood in the vicinity, particularly near Canowrin, commonly known as the "spire."

Leaving Beerwah, proceeded by a range leading north-north-east, composed of hard sandstones and conglomerate, flanked on each side by deep ravines. About four miles distant from Beerwah, a spur went off, in direction east by south. At a distance of eleven miles, I ascended, from the south side, the large mountain Barumbah. This mountain is of hard black dolerite, which on the summit is vesicular; on its southern and eastern sides it becomes truly basaltic, the columns which have fallen lying about in all directions. Descending a north-north-east spur, I found myself encompassed by impenetrable jungles, through which a passage was cut with great difficulty. Beyond this the country was undulating, richly grassed, and well watered. The extremity of this spur is called by the aborigines, "Omeriemon." North-east from Omeriemon, about one and a half miles, sandstone, bearing south eighty degrees east, without perceptible dip, is exhibited in the bed of a creek, and extends south-easterly, and easterly towards Calowndra, where I had previously observed coal. (Vide Thirteenth Report.)

From Barumbah examined the dividing range between the waters of the Stanley and the tributaries of Toorangoor, Yungun, and other small creeks falling into the narrow channel between Bribie's Island and the main land. This range consists of basaltic whinstone; in many instances the basaltic columns appear to be broken off in a manner so regular as to have the appearance of a pavement of pentagonal and hexagonal slabs, from two to three feet in diameter. The base and flanks of this range are sandstone unaltered (resembling that observed in the neighbourhood of Drayton), lying in horizontal beds; fossil wood is plentiful on the slopes.

At Euin there is an extension to the east and west, composed entirely of basalt, dividing the tributaries of the Mooloolah river from those of the creeks falling into the sea near Bribie's Island, as before alluded to. The western spur from Euin trends southerly to Durandur. The Stanley derives its source from this range, and passes through a rugged sandstone country.

Returning to Durandur, I examined the southern end of the range above described, and found it to be composed of granite and syenite (black hornblende base, with felspar, and compact felspar, with crystals of hornblende), the flanks of the spurs, in some instances, exhibiting a narrow skirting of schists.

I next proceeded to examine the northern end of D'Aguilar's range, and the waters flowing westward from thence. Crossing the Stanley River, and proceeding south-west, there are fine well-grassed ridges, eight miles in breadth, to Burri Creek. These ridges presented chlorite and hornblende schists, with but little quartz. Continuing the same general course, the schists were of hornblende and chlorite, followed by mica slates, with a large proportion of quartz. The summit of the dividing range consisted of gneiss (hornblende, mica, and felspar). From thence, crossing Neurum Neurum Creek to Delaney's Creek, the gneiss passes gradually into mica slate.

These rocks, gneiss, and mica slate, lying at high angles, do not prove that they are merely the debris of the granitic mass which they surround, and are therefore of subsequent formation to the granite, but rather that they are composed of the debris of some more ancient granite which, disintegrating, has thrown off the materials of which it was composed, and re-arranged as stratified masses under the sea. The gneiss and slates are dipping at an angle of not less than forty three degrees, an inclination which no material can obtain from deposition under any circumstances; and, as we find that in all the instances mentioned there is indubitable evidence that these granites are of more recent geological age than the coal-bearing sandstones, we are necessarily obliged to concede the probability that the granite now under consideration has been projected from the same site as that which, by its disintegration, gave origin to the gneissic strata and mica slates.

Examined the Neurum Neurum, Delaney, and other creeks, for gold, and procured fine or small gold from what appeared to be promising washing stuff; but, after several days' labour, I did not obtain more gold than what would be considered a fair prospect for a single pan.

Tracing down Delaney's Creek, I observed a considerable mass of quartz occurring in a regular lode, running north and south, about four feet wide; the slates, which are micaceous, dipping north thirty degrees east. This quartz is of a snow-white semi-transparent character, slightly traversed by thin veins of octahedral iron, a considerable quantity of which occurred in washing. Having fairly tried these creeks, which in appearance are so favourable, and the meagre prospect of gold being obtained in remunerative quantity, I considered it useless to devote more time in search thereof in this locality.

Leaving Delaney's Creek, the schists extend southerly for a considerable distance, proceeding from the granite of D'Aguilar's range. Thence south forty degrees west the ranges are precipitous in some instances, and at all times with considerable slopes covered with dense jungle, through which passages were cut before man or horse could penetrate them. This country, wholly schistose, extends for about ten miles south-westerly from the head of Delaney's Creek.

Emerging from this labyrinth of gullies and jungles, I ascended a range extending north-north-west towards the junction of Kilcoy Creek with the Stanley River; and south towards Mount Byron, this table-land I found to be composed of porphyritic rocks, which

become more positive to the westward, four miles north from Coongabah (Bigge's) sandstone and shales extend towards the south, bounded on the east by porphyry ridges trending south parallel to the sandstone, south-east towards the north branch of Reedy Creek, and south to the junction of Reedy Creek with the Stanley.

South-east from the junction of Reedy Creek with the Stanley, there is a small boss of whinstone penetrating the sandstone country which extends south, and south-west to the Brisbane River, (coal is known to occur at Mount Esk).

From Coongabah, examined Mount Brisbane and the country to the westward between the Stanley and Brisbane Rivers. Crossing Reedy Creek and the Stanley, porphyry presented itself in great variety, here and there, small protruding bosses of hornblende rock.

In a small creek east of the north-west spur leading to Mount Brisbane, hornblende and red granites were observed; the bed of the creek is of hornblendic granite, traversed by elvans of red and grey granite, with hornblende; towards the summit of Mount Brisbane the granite becomes white, and also contains crystals of hornblende. The granites comprise the following varieties:—albite felspar, hornblende, and black mica; compact red felspar, with crystallized white felspar, and hornblende; compact red felspar, with crystallized white felspar, hornblende, and mica. Granite extends as far as examined, north and west from Mount Brisbane; from the nature of the country I was induced to prospect for gold, but without success.

Traced up Reedy Creek, and examined the sandstones and conglomerate immediately to the south, and under Mount Byron these dip east-north-east, and north; the rock below being hard siliceous sandstone, best seen in the gorge through which the water of the creek pursues its course; the bearing of the rock is north-west, and in the space of a few hundred yards the dips vary from north to east; the shale beds are indurated so far as to become cherty. The porphyry of the table-land near Mount Byron, is of subsequent intrusion to the deposit of the sandstone, as is evidenced by the extreme hardness and silification of the strata upon which the conglomerates rest, as well by the dip or inclination, which the whole series has assumed, the great mass exhibiting all the contour dips of the intruded porphyry, as by being in many cases much contorted.

Leaving Coongabah, I traced up the Stanley on its eastern bank, until east of Mount Brisbane, over porphyry ridges, on the western bank of the Stanley, this rock continued northward to near the junction of this river with Kilcroy Creek, and bounded on the west by the granite of Mount Brisbane, and its several spurs; two miles below the junction of Kilcoy creek there is sandstone extending north-north-west for four miles; crossing this creek the country again becomes porphyritic to the south and north to Kilcoy, flanked on the east by schists, which continue south-easterly to within three miles of the junction of the Stanley with the Neurum-Neurum Creek, here there is an extension of the granite from the northern end of D'Aguilar's range, known as "Bruyere," and "Tendurrudon," which crosses the river in a north-westerly direction, and then east for three miles to Scrubby Creek; from this creek hornblende schists occur for two miles, and extend north-westerly; from thence to Mary Smoker's and Stoney Creeks granite is exhibited in great variety on both sides of the Stanley as far as Durandur, from which place the granite extends northerly, along the range dividing the upper tributaries of the Stanley from Stoney Creek.

The constituents of the granites between Kilcoy and Durandur are as follows:—Grey felspar, white quartz, black hornblende:—grey felspar, white quartz, black hornblende, and a little mica;—albite felspar, hornblende, pistarite, and brass-yellow mica;—compact red felspar base, crystallized felspar, and hornblende;—quartz, flesh-coloured felspar, and hornblende.

I now feel justified, from the examination of so large a portion of the colony, to record my opinion in favour of the views so strenuously advocated by the Rev. W. B. Clarke, of the more ancient geological age of the coal bearing strata than that assigned to it by several high authorities in England, who, in consequence of some real or supposed affinities in the vegetable remains, are inclined to view the whole series as contemporaneous with the oolitic period, as exhibited in Europe; so far as I have been able to examine the zoological forms they are, to my mind, conclusive that the fossils of the limestones upon which the sandstones are in many cases superimposed represent those of the Devonian and lower carboniferous limestones; and that the coal bearing sandstones are in immediate and regular sequence ascending. In many parts, more particularly in the northern districts, the limestones are absent, and the coal measures are immediately resting upon the slaty rocks.

If the oolitic age of these coal measures be conceded, we should have as great a difficulty in accounting for the absence between the upper silurian rocks (the presence of which are acknowledged by all geologists) and the oolitic formation of the whole thickness of the carboniferous, magnesian limestone, new red sandstone, and lias formations, together with all their minor relatives, as we at present have when considering the great lapse which exists between the present coal bearing strata, be they identical with the carboniferous or oolite age, and the tertiary formations known to occur in New South Wales.

It is also a consequence of the great hiatus between the coal bearing strata and the tertiary rocks of the colony, impossible to prove at what geological epoch the enormous tracts of pyrogenous rocks were produced, and the attendant metamorphosis of many of

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the stratified rocks, although it is within our power to demonstrate that they are of subsequent formation to all the palæozoic rocks, but from the absence of any overlying strata intermediate between the coal measures and the tertiary period, we cannot fix by super position the precise geological age of any of the igneous products.

In a former Report, speaking of the fossil remains procured by me on Darling Downs, I have stated that "the bones of reptilia had not before been found in the alluvium of this country;" I now find that I was in error. Within the last few days I have seen a portion of one of the Council papers,* relative to Geological Surveys, and therein I find that Mr. W. S. M'Leay, as also Dr. Leichardt, in 1847, had noticed the remains of a gigantic monitor lizard, and of a gavial or crocodile, in the collection of Mr. Turner. In consequence of not being supplied with the council papers, relative to the geological surveys, I was not aware of these facts; I therefore take this, the earliest, opportunity of correcting the error I have committed.

S. STUTCHBURY.

My nearest post will be, Good's Inn, Burnett River.

No. 3.

No. 3.

EXTRACT of a DESPATCH from Governor-General Sir C. A. FITZROY to the Right Hon. Sir GEORGE GREY, Bart.; dated Government House, Sydney, November 3, 1854. (Received January 30, 1855.)

(No. 154.) "18 Victoria, No. 19.

"AN ACT to continue the Acts for the Management of the Gold Fields.

"This was introduced by the Government, although not exactly in its present shape. The Act 16 Victoria, No. 43, for regulating the Gold Fields was a temporary Act, and the succeeding Act 17 Vict. No. 23, which amended the former, has been regarded as temporary also, both expiring with the current year; I therefore caused a short Bill to be laid before the Council for rendering the existing law permanent. But as there was a general unwillingness testified on the part of the Council to that course, the Bill was altered so as to continue for another year the Acts above quoted. It is proper that I should explain that the circumstances appeared to me to constitute such a case of immediate temporary expediency as to justify my assenting to the Act, although enacted for a less time than two years."

Encl. in No. 3.

Enclosure in No. 3.

AN ACT to continue the Acts for regulating the management of the Gold Fields.

No. 19. [Assented to, 21st October 1854.]

Preamble. 16 Vict. No. 43. 17 Vict. No. 23.

WHEREAS the Act of Council passed in the 16th year of Her present Majesty's reign, intituled, "An Act for regulating the management of the Gold Fields of New South Wales, and for raising a revenue therefrom, and for the preservation of order therein," and also the Act passed in the 17th year of the said reign, intitutled, "An Act to amend the Act for regulating the management of the Gold Fields," will expire at the end of the present year unless continued by the authority of the Governor and Legislative Council. And whereas it is expedient that the same should be continued for a limited period: Be it therefore enacted by his Excellency the Governor of New South Wales, by and with the advice and consent of the Legislative Council thereof, that the said first mentioned Act so far as the same does not stand repealed or altered by the said secondly above mentioned Act, and the said secondly above mentioned Act, shall continue in force until the end of the year 1855.

Acts continued until December 31. 1855, except so far as 16 Vict. No. 43, repealed or altered by 17 Vict. No. 23.

Passed the Legislative Council, this 6th day of October 1854.

CHARLES NICHOLSON, Speaker.

WM. MACPHERSON, Clerk of the Council.

In the name and on the behalf of Her Majesty, I assent to this Act.

CHAS. A. FITZROY, Governor-General.

Government House, Sydney, 21st October 1854.

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* Rev. W. B. Clarke's Report, No. 10, October 14, 1853.

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No. 4.

No. 4.

Copy of a DESPATCH from Governor-General Sir C. A. FitzRoy to the Right Hon. Sir George Grey, Bart.

(No. 160.) Government House, Sydney, November 10, 1854.

(Received February 12, 1855.)

(Answered No. 17, March 3, 1855, page 26.)

Sir,

I have the honour to enclose the copy of a letter from the Rev. W. B. Clarke, referring to his previous communication, dated December 21, 1853, a copy of which was forwarded to the Duke of Newcastle by my Despatch, No. 31,* of the 21st February last, on the subject of the claim advanced by Sir R. Murchison to the credit of having at an early period pointed out the indications of gold in Australia. October 19, 1854.

2. Having communicated to Mr. Clarke a copy of your Despatch, No. 12,† dated the 13th July last, which I received on the 19th ultimo, and informed him that if he still desired his letter to be forwarded I would comply with his wishes; I have received the accompanying letter, and, in compliance with the request therein contained, I enclose the appendix to which his letter refers. October 31, 1854.

I have, &c.,

The Right Hon. Sir George Grey, (Signed) C. A. FITZROY.
&c. &c. &c.

Enclosure 1 in No. 4. Encl. 1 in No. 4.

Sir, St. Leonard's, October 19, 1854.

On the 21st December 1853 I did myself the honour of addressing to you a communication on the subject of a correspondence between Sir R. J. Murchison and the colonial minister relative to anticipations of the discovery of gold in Australia, and I therein requested that his Excellency the Governor General would be pleased to have that communication and some extracts from minutes of evidence given by me before the select committee on the management of the gold fields placed on record.

His Excellency was so good as to attend to this request, and the communication and extracts having by his Excellency's command been laid upon the table of the Legislative Council, they were printed, and by his Excellency's kindness were forwarded to the Colonial Minister.

It was my intention to append to the 12th and 13th questions and answers in the evidence alluded to in illustration of the statements therein made, but at the time I could not collect the materials.

Having done this since, and an occasion having arisen for the publication of such illustration, I have now the honour to request the additional favour, that his Excellency would be pleased to allow the enclosed document, which embodies correspondence illustrative of the evidence in question, and which is entitled an "Appendix to Answers 12 and 13" in that evidence, to be placed on record, together with the preceding communication of 21st December 1853, and to be also forwarded, for a similar purpose in England, to the Colonial Minister. See next page.

I have, &c.

The Honourable the Colonial Secretary, (Signed) W B. Clarke.
&c. &c. &c.

Enclosure 2 in No. 4. Encl. 2 in No. 4.

Sir, St. Leonard's October 1, 1854.

I do myself the honour of requesting that you will be so good as to offer my best thanks to his Excellency the Governor General for the trouble he has been obliging enough to take respecting my communication of 21st December 1853, and also for the conditional offer of forwarding to the Secretary of State for the Colonies the document which I transmitted through you to his Excellency on the 19th instant.

I beg leave to state in reply to your letter of the 28th instant, that should his Excellency see no grave objection to it, I shall be obliged if that document be forwarded as I before requested, because it is an appendix to the former letter of 21st December, and intended to complete the evidence therein contained.

I have, &c.

The Honourable the Colonial Secretary, (Signed) W. B. Clarke.
&c. &c. &c.

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* Page 21 of Papers relative to "Discovery of Gold, Australia," presented to Parliament by Her Majesty's command, December 1854.

† Page 71, same paper.

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Encl. 3 in No. 4.

Enclosure 3 in No. 4.

APPENDIX to Answers 12 and 13* in the Evidence of the Rev. W. B. CLARKE, M.A., F.G.S., taken before the Select Committee on the Management of the Gold Fields, on Friday, 24th September 1852.

No. 1.—From R. THERRY, Esq., one of Her Majesty's Judges of the Supreme Court,

MY DEAR SIR, Kera Vale, Wollongong, October 2, 1852.

I CAN have no hesitation in stating I quite well recollect the circumstance of your communicating to me your discovery of gold. The conversation took place on board the "Paramatta" steamer some time in 1844, on my return to Sydney from a visit to a part of the country which I then represented in the Legislative Council. On that occasion you showed a piece of quartz in which two or three large specs of gold shone very distinctly and brilliantly: and you intimated that from that and other specimens you had seen, and from the geological observations you had made, you were confident that gold would be found in abundance in this colony. I mentioned the matter to many of my friends at the time, and the recent extensive discoveries of gold brought very vividly to my recollection your predictions which these discoveries have verified.

I, therefore, can have no objection to the mention of my name in the manner in which you have introduced it in your evidence.

I have, &c.,

Rev. W. B. Clarke. (Signed) R. THERRY.

No. 2.—From Mr. CHARLES BLAKEFIELD, a successful Gold Digger, written voluntarily.

REV. SIR, Sofala, Sept. 11, 1852.

THE long controversy in the public papers respecting the alleged original discovery of gold in this country having now ceased, I beg to apologize for my negligence in not having sooner added my evidence in proof of your attainments as a geologist.

About nine years ago I gave you a piece of gold in quartz, found at Mitchell's Creek, and brought down by M'Gregor, the shepherd, when you informed me that nearly the whole of the rivers on this side of the dividing range were highly auriferous. At the time I asked you why you did not make the fact known to the public, when your reply was, that you was afraid that it would tend to the utter disorganization of society, particularly as then constituted.

But had I known that the whole science of gold-washing lay in the shaking of a tin dish, I am doubtful whether any such considerations of public policy would have prevented me from essaying the facts at that time, particularly as a friend of mine was also at the time extremely urgent upon me to join him in a prospecting tour.

I am, &c.,

Rev. W. B. Clarke. (Signed) CHARLES BLAKEFIELD.

No. 3.—From F. E. MANNING, Esq., (brother of the Solicitor General of New South Wales,) voluntarily written.

MY DEAR SIR, Carrabost, Tarcutta Creek, November 20, 1851.

ALTHOUGH some years have passed since we met at Appin,† I have, during the last few months, often recalled to mind your saying that you knew where to find gold on the Bathurst side, and finding that you proved a good authority in that case, I was tempted

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* 12. Have you any objection to state to the Committee, when your attention was first directed to the existence of gold in this country?—It was in 1841, when I crossed the Dividing Range to the westward of Paramatta, in endeavouring to satisfy myself as to the extent of the carboniferous formation in that direction, that I first became aware of the existence of gold in Australia, by detecting it at the head of the Winburndale rivulet, and in the granite westward of the vale of Clwydd.

13. (*By Mr. Holroyd.*) Did you go further to the westward?—No; I had satisfied myself as to the object of my journey, and returned home. At that time I knew nothing of the history of gold, but since then I have obtained every information I could upon the subject. There are many persons living who know that I, very shortly afterwards began to speak of the abundance of gold likely to be found in the Colony, and that as early as 1843, I mentioned it generally. On the 9th April, 1844, I also spoke to the then Governor, Sir G. Gipps, and exhibited to him a sample, but without any result as to further inquiry. The matter was regarded as one of curiosity only, and consideration of the penal condition of the Colony kept the subject quiet as much as the general ignorance of the value of such an indication. In that year I exhibited the gold, and spoke of its probable abundance to some of the then Members of Council, and one of them, the late Mr. Robinson, replied to me "you ought to have been a miner," but took no further notice of it. The only person who seemed to take much interest in the subject was his Honour Mr. Justice Therry. I am able to fix the date of the time when I spoke to Sir G. Gipps, by the recollection that I spent that day with him at Paramatta, nd that it was the day on which a certain great meeting of squatters was held in Sydney.

† As I had forgotten the exact date of our meeting at Appin Parsonage, I applied to the Rev. H. D. D. Sparling, the Incumbent of Appin and Bargo, and he informs me it was in April 1846, quoting a memorandum made at the time.—W. B. C.

to go prospecting here, as I hear you stated that this was a likely locality to find gold. I think you will be glad to hear that your prediction proves to be correct. This place is situated on the right hand branch of the Tarcutta Creek coming up, and is about 45 miles from its junction with the Murrumbidgee River.

A shepherd in the employment of Messrs. Walker and Co., at a place called American Yards, eight miles lower down the creek, has also found gold there, of the same description as it is here; and he tells me that he has found some on a hill side that looks "as if it had been melted;" but he will not show me any of this.

I am, &c.

Rev. W. B. Clarke. (Signed) FRED. E. MANNING.

No. 4.—From JAMES MACARTHUR, Esq., M.L.C., who was Chairman of the Gold Committee on 24th September 1852. This letter is, therefore, confirmatory of my evidence.

MY DEAR SIR, Camden Park, Camden, July 29, 1854.

I HAVE deferred answering your note in order to refresh my memory by a reference to memoranda connected with public transactions, which I know took place at the period of our conversation, relative to your first discovery of gold in the Hartley district, and your conviction, from geological investigations, that Australia would prove to be a great gold-producing country. I find, upon reference to those memoranda, that your communi cations to me on the above subjects must have been in 1843 and the early part of 1844. I well recollect that you pointedly alluded to the grave objection to opening gold mines to the cupidity of a population which at that time constituted the great majority of the inhabitants of these colonies, and you mentioned the strong views entertaiend by Sir George Gipps as to the ill consequences to be dreaded from a disclosure of what you had ascertained.

On more than one occasion you expressed a hope that opportunities would be afforded to you to pursue your geological researches, and you declared your firm conviction that gold, with other valuable metals, would at no remote period constitute a most important part of the resources of the colony.

You also mentioned that your own objects, apart from your public duties, were confined exclusively to the extension of science.

I am, &c.

Rev. W. B. Clarke. (Signed) JAS. MACARTHUR.

No. 5.—Extract of a Letter from H. K. JAMES, Esq., Secretary to the late Bishop of Sydney.

"I HAVE no certain recollection when you first told me that you had found gold in this country, but I thought, and still think, that you alluded to the fact in one of your notes to me a very long time ago, which, if I could have found it, would be of much value to you now.

"You have been, as long as we knew you, always speaking about 'the mineral resources of Australia'—'that it was full of gold'—that we should 'live to see this one of the richest places on the globe,' and so forth. 'Clarke's prophecies' upon these subjects were as 'familiar as household words;' they seemed however, at the time, long before H. was ever heard of, to be idle tales, and as you were very generally regarded as a scientifie enthusiast, your observations and truthful predictions received very ordinary attention, and entirely failed to make the impression they were calculated to do. I have often thought, if not said, 'if half of Mr. Clarke's predictions of what this country is made of proves true, it will be good to be here,' and such I have no doubt was the sentiment of many with whom you conversed about your golden dreams of Australia. * * *

"I have, &c.

"June 3, 1854. (Signed) "H. K. JAMES.

"Rev. B. W. Clarke."

No. 6.—LETTER from Captain PHILIP PARKER KING, R.N., M.L.C., &c., voluntarily written (see "Sydney Morning Herald," 2d June 1851.)

MY DEAR SIR, Paramatta, May 30, 1851.

HAVING noticed a remark of Mr. Hargraves upon your claiming to have been the original discoverer of the gold field now being worked, and which appears to me to attach doubt as to the correctness of your statement, I think it right to remind you, that about two

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or three months ago you pointed out to me on Dixon's map of New South Wales a considerable extent of country in the neighbourhood of the Canobolas in which gold was known by you to exist in large quantities.

If this communication can be of any service to you, you are at liberty to make any use of it you please.

I have, &c.,

Rev. W. B. Clarke. (Signed) PHILIP P. KING,
Captain, R.N.

No. 7.—EXTRACT from a LETTER* published in the "Maitland Mercury" of the 24th January 1852, on the Tamworth Gold Field.

"Maitland, January 23, 1852.

"I MUST here pay a tribute to the foresight and scientific investigations of the Rev. Mr. Clarke, who unquestionably had ascertained the existence of an extensive gold field in Australia long before any excitement had been caused by the recent discoveries in California.

"Mr. Clarke was investigating the geological structure of the country about Murrurundi and the Page's River, I think in the year 1845, and I recollect his telling me that he had discovered gold in the Bathurst district in sufficient quantities to pay a person for working it, or I think his words were, in quantities sufficient to enable him to earn a subsistence, if necessity had driven him to such a course; he also mentioned, at the same time, that most probably it would be found along the western flanks of the great Dividing Range, north of Murrurundi, where it is now found extensively disseminated, thus proving how surely and accurately the predictions of science are to be realized." * * *

J. G.

No. 8.—EXTRACT from the Leading Article of the "Goulburn Herald" of the 20th May 1851, forwarded to me by the Rev. W. SOWERBY, Incumbent of Goulburn, who says, in his Letter enclosing it:—

"I AM glad you are going to defend yourself. It is due to yourself and your friends everywhere to meet your opponents clearly and fearlessly. I intended long ago to write to you to urge you to do it, but I thought surely 'he does not require any advice on a subject so important as the defence of his fair fame.'"

EXTRACT from the "Goulburn Herald" of the 20th May 1851.

"SHOULD there be any of our neighbours to whom the voice of warning is of no avail, we would say, 'Bide awhile,'—there will be no necessity for travelling 150 miles to gratify their inordinate love for adventure, in the hope of gaining great riches by easy means. Bide awhile. We have in our own county a gold mine as rich as that which is now causing so much excitement in the public mind. For the truth of this assertion we refer them to the first article, headed "Gold," in the second page of this number. It will be there seen that the Rev. W. B. Clarke, whose labours in geological research in this colony have scarcely been appreciated, stated between 1842 and 1847 that gold exists in the dividing range (between Bathurst and Wellington), and also in the county of Argyle.† This dividing range is the same line of hills which lies east of Richmond; and as the recently proclaimed gold field has been discovered to extend indefinitely to the northward, it is but fair to suppose that it does to the southward, and that the whole scope of country is rich in gold."

No. 9.—In the "Maitland Mercury," 6th October 1852, is an advertisement signed "THOMAS HAYDON," offering 50*l.* reward for the discovery of a paying and remunerative gold field, on the following grounds:—

"IT having been pronounced some years ago by the Rev. W. B. Clarke that gold existed in the tributaries of the Page, and it having been found in small quantities in various localities in the neighbourhood," &c.

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* I did not know of the existence of this publication till May 1854, when I wrote for a copy of it to the author, John Gill, Esq., J. P., of Tamworth, a gentleman of the highest respectability and acquirements. In reply he states that it was about the year 1844 (and not 1845), and he is right, for I was on duty the first three months of that year at Muswell-brook, in place of the Rev. W. Gore, and I then visited Brickham; I left Muswell-Brook on Ash-Wednesday, and after eight weeks' duty, I met with a severe accident on my way to Jerry's Plains, which gives me the true date, 21st February, Mr. Gore to whom I applied to fix the year, says in a letter dated 25th July 1854, "you were at Muswell-brook in 1844, for the first time; I ought to know, for it was at that time I was married."

† The tract of country which I spoke of as auriferous was the District as well as County, and in the latter I found gold in 1842. The whole eastern border of the county along the Shoalhaven, I proved in 1851 to be auriferous; and the gold fields about Braidwood, Araluen, &c., are in the adjoining county.—W. B. C.

No. 10.—EXTRACT from the "Illustrated Australian Magazine," October 1851, published at Melbourne, Victoria, by Messrs. Ham, in a statistical article, signed COLCHIS, "On the probable influence of the recent Discoveries of Gold Mines, in various parts of the World, on the relative value of Gold and Silver."

* * * *

"HENCE arises the curious question—'How came the treasures of our adopted country to remain so long a sealed letter to those who daily traversed the scene?' The answer is plain and simple. We had no mineralogists or geologists among us."

To this the editor appends the following remarks in a foot-note:—

"We cannot entirely agree with the writer; the Rev. W. B. Clarke is acknowledged to be a thorough geologist, and years since he was aware of the existence of gold in the very localities in which it has been recently found in abundance. During a visit to this gentleman, a considerable time previous to the discoveries made by Mr. Hargrave, we were shown a specimen of gold found in the Bathurst Ranges; and we have seen letters, written by Mr. Clarke to his friends in England, ten years ago, which proved he then knew the country to be auriferous. The Rev. gentleman did not make public his knowledge of the existence of gold in Australia, simply because, considering that New South Wales had only a short time ceased to be a penal settlement, and that the people were not remarkable for their virtue, he feared it might become a curse rather than a blessing."—[Ed. I. A. M. Vol. III., p. 211.]

No. 5.

No. 5.

COPY of a LETTER from Sir R. MURCHISON to H. MERIVALE, Esq.

SIR, Belgrave Square, March 18, 1855.

IN reply to your letter of the 9th March, I beg to thank Secretary Sir George Grey for his attention in communicating to me the copy of a letter from the Rev. W. B. Clarke,* whose claims to the credit of having pointed out, at an early period, the indications of gold in Australia, have already been widely circulated in various ways, both in the colonies and Britain.

* Page 17.

On my part I have simply to state that no one, either in the colonies or at home, ever printed a line upon Australian gold until Mr. Clarke (who was all along a correspondent of the Geological Society of London) did so at Sydney in 1847, whilst my publications relating directly to Australian gold, commenced in 1844, were enlarged upon in the years 1845 and 1846, were followed by that letter to Her Majesty's Secretary for the Colonies, which was printed for the use of the Houses of Parliament, and were subsequently and annually dwelt upon by me up to the year 1851, when the gold mines were opened out.

I may here observe, that in his first published notice upon the subject, (Sydney Herald, 1847,) the Rev. W. B. Clarke does not allude to the antecedent letter of 1841, to which so much reference has been recently made, though he distinctly adverts to that comparison of Eastern Australia with the auriferous Ural Mountains, which, every one knows, was my own.

Not doubting that Mr. Clarke wrote the letter in question, I may be permitted to say that such a document, which was not printed and never referred to until long after the practical opening out of the gold fields, must be placed on a very different footing from views which stand alone as publications in the years 1844, 1845, and 1846.

I have also to state that the colonists who are well versed in the distribution of Australian gold, Mr. Hargreaves, of New South Wales, and Mr. Watten, of Victoria, have respectively in their works assigned to me the leading scientific merit in this question.

I am proud to add that my distinguished friend Count Strzelecki, who had detected traces of gold long before Mr. Clarke, but who for reasons of colonial government had maintained silence respecting it, has affirmed by his testimony the independence of my inductive reasoning, in predicting the existence of gold in Australia, after a comparison of rock specimens brought by him from that country with the auriferous rocks of the Ural Mountains, which I had explored.

Aloof from that anticipation, I hope to be excused for reminding Her Majesty's Secretary that, in pursuing the subject, I publicly urged Cornish miners then unemployed (1846) to emigrate and enrich themselves in Australia, because I then knew for the first time that my prediction had been verified (two or three small specimens of the ore having been sent home), and that also I was,

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as far as I knew, the earliest among my countrymen who called the attention of Her Majesty's Government to the existence of the ore, to its probable great development, if properly sought for, and to the desirableness of regulating that search, which, though so likely to ensue soon, was not practically realized until three years after the date of my letter of 1848, addressed to the Colonial Secretary.

Requesting that Sir George Grey will do me the honour of reading this letter, and of allowing it to remain in the archives of Her Majesty's Colonial Office,

I remain, &c.

Herman Merivale, Esq. (Signed) Rodk. Murchison.
&c. &c.

No. 6.

No. 6.

Copy of a DESPATCH from Governor General Sir Charles A. FitzRoy to the Right Hon. Sir George Grey, Bart.

(No. 193.) Government House, Sydney, December 31, 1854.

Sir, (Received April 7, 1855.)

With reference to a Despatch from his Grace the Duke of Newcastle of the 13th of January last, No. 7*, enclosing a copy of a letter from the Assistant Secretary to the Lords Commissioners of the Treasury, pointing out that whilst the revenue derived from the gold discoveries is inserted in the New South Wales Blue Book for 1852, as credited to the General Revenue, the expenditure from that source is placed to the account of the Territorial Revenue; I have the honour to inform you that it appears the statements in which this error occurs, were transcripts of those prepared and furnished by the Auditor General.

The gold revenue for the year 1852 was, however, actually credited to the Territorial Revenue, as shown by a return of which I enclose a copy, but from the 1st January 1853, both the revenue and expenditure on account of gold form a portion of the general revenue, with the exception of the arrears of the previous year, which will be found detailed in the printed account of the Territorial Revenue for the year 1853, herewith transmitted.†

I have, &c.

The Right Hon. Sir George Grey, (Signed) CHAS. A. FITZROY.
&c. &c. &c.

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* Page 70 of Papers relative to "Gold Discoveries, Australia," presented to Parliament by Her Majesty's command, December 1854.

† These returns being exceedingly voluminous are not printed.

NEW SOUTH WALES.

Despatches from the Secretary of State.

No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart. to Governor Sir WILLIAM DENISON.

(No. 5.)

SIR, Downing Street, November 11, 1854.

WITH reference to Sir C. FitzRoy's Despatch, No. 37,* of the 27th of February last, reporting that a remittance of 8,500*l.*, in addition to the 10,000*l.* which he had before transmitted, to defray the cost of the branch of the Royal Mint proposed to be established in New South Wales, I transmit herewith, for your information, the copy of a letter from the Secretary to the Lords Commissioners of the Treasury, with its enclosures, from which you will perceive that a sum of 6,703*l.* 9*s.* 2*d.* is still required beyond the sums already transmitted, with the interest which has accumulated upon them, to make good the amount of 25,631*l.* 1*s.* 7*d.* which has been expended on account of the Sydney Mint; I have accordingly, in pursuance of their Lordships' request, to instruct you to remit the balance due on this account.

October 31, 1854.

I have, &c.

Sir Wm. Denison, &c. &c.

(Signed) G. GREY.

Enclosure in No. 1.

Encl. in No. 1.

SIR, Treasury Chambers, October 31, 1854.

WITH reference to your letter of the 10th of July last, reporting a further remittance on account of the Sydney Mint, I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you herewith, for the information of Secretary Sir George Grey, copy of a letter from the Master of the Mint, dated 23d August, also a copy of their Lordships' minute thereon, together with copy of a letter from Mr. E. Barnard to this Board, dated 21st instant, reporting a payment to the credit of the Master of the Mint on this account; and I am to request that you will cause application to be made to the colony of New South Wales for the remittance of the balance (viz., 6,703*l.* 9*s.* 2*d.*) of the amount of 25,631*l.* 1*s.* 7*d.* expended on account of the Sydney Mint beyond the 18,927*l.* 12*s.* 5*d.*, consisting of remittances already made by the colony, and the interest which has accrued upon them.

I have, &c.

Herman Merivale, Esq. &c. &c. &c.

(Signed) C. E. TREVELYAN.

Sub-enclosure 1 to Enclosure in No. 1.

Sub-Encl. 1 to Encl. in No. 1.

SIR, Royal Mint, August 23, 1854.

CAPTAIN WARD and the rest of the officers, and working staff of the branch of the Royal Mint at Sydney in New South Wales having sailed for that colony, and the whole of the machinery, materials, and stores provided for that service being satisfactorily shipped and despatched under his direction, and the accounts of the several contractors, tradesmen, and others discharged (with exception of two items especially noted in the accompanying summary, which cannot be paid until Captain Ward shall have certified the arrival of the articles in good condition at Sydney, and the complete fulfilment of the terms of the engagements respecting them), I have the honour to forward for the consideration of the Lords Commissioners of Her Majesty's Treasury a statement of the several disbursements made and remaining to be made (as above explained) from the cash account of the Master of the Mint, pursuant to their Lordships instructions conveyed in your letters of June 22d and September 15th 1853, the latter enclosing a copy of a minute of their Lordships dated September 9th 1853, authorizing such payments. And I have to request that their Lordships, on approval of the same, will be pleased to direct the replacement to that account as well of the amount actually disbursed, as of such sums as are therein charged against the Sydney Branch Mint for dies, collars, assay pieces, and a portion of the standard trial plate furnished from the Royal Mint, and also of the two outstanding sums above mentioned as a provision for their payment over to the parties named when due, these being in effect debts incurred on account of the Sydney Mint; the total amount

* Page 26 of Papers, "Gold Discoveries, Australia," presented to Parliament by Her Majesty's command, December 1854.

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including these outstanding sums (the one of 2,600*l.* 10*s.* 0*d.* due to Mr. J. Taylor, the other of 149*l.* 0*s.* 7*d.* to Mr. J. Walker) being twenty-five thousand six hundred and thirty one pounds, one shilling and sevenpence.

The original vouchers for these disbursements, consisting of the bills and receipts of the parties to whom the several payments have been made, and other necessary documents, have been forwarded as part and parcel of the monthly vouchers for the disbursements of the Royal Mint, from time to time to the Audit Office, and will there undergo the same examination as every other expenditure of the Master of the Mint. The summary now handed in consists of two parts. The first, to the extent of 25,334*l.* 6*s.* 1*d.* is certified by Captain Ward up to the time of his departure. But as the charge for materials and workmanship of the dies and collars on the part of the Royal Mint could not at that time be satisfactorily ascertained, and as a few small outstanding accounts of a miscellaneous description were not presented for payment until after the date of his departure, these, to the amount of 296*l.* 15*s.* 6*d.* are included in a supplementary account certified by Mr. Elouis, Superintendent of the Bullion Office of the Sydney Mint, as representing his principal, which, it is submitted, under the circumstances may be admitted as of equal validity.

I have, &c.

Sir C. E. Trevelyan, K.C.B. (Signed) J. F. W. Herschel.
&c. &c. &c.

Sub-enclosure 2 to Enclosure in No. 1.

Sub-enclosure 2 to Enclosure in No. 1.

Copy of Treasury Minute, dated September 8, 1854.

My Lords have before them the letters from Mr. Barnard, colonial agent for New South Wales, dated March 1853, and June 16, 1854, and the Minutes thereupon, by which the sums of 10,000*l.* and 8,000*l.* sent home by that colony on account of the expenses connected with the establishment of the Sydney Mint were directed to be transferred to Mr. Barnard, who was instructed to cause the former of those two sums to be invested in exchequer bills until the arrangements upon the subject could be completed.

The statement now received from the Master of the Mint shows that the sum of 25,631*l.* 1*s.* 7*d.*, or more by 7,131*l.* 1*s.* 7*d.* than the amount of the above two remittances, is, up to the present time due to his cash account in repayment of expenses incurred for the Sydney Mint.

Write to Mr. Barnard with reference to the letters from this Board, dated March 19, 1853, and June 3 last, and desire that he will realize the value of the exchequer bills purchased by him under the directions contained in the former of those letters, and will pay it, together with the interest accrued upon the bills, as well as the sum of 8,500*l.*, which formed the subject of the second letter, to the cash account of the Master of the Mint, at the Bank of England, a sum of 25,631*l.* 1*s.* 7*d.* having been expended by that officer on account of the Sydney Mint.

Request that Mr. Barnard will inform my Lords of the total sum transferred by him to the Master of the Mint under this direction, in order that application may be made through the Secretary of State for the Colonies, for the repayment of the remainder of the expense incurred.

Transmit a copy of this Minute to the Master of the Mint for his information.

Transmit copies of this Minute to the Paymaster General and Mr. Peter Smith, Chief Clerk of the Colonial Office, and request that they will take the necessary steps, in concert with Mr. Barnard, to enable him to comply with the instructions with which he has been furnished, relative to the disposal of the exchequer bills and the payment of the proceeds to the cash account of the Master of the Mint.

Sub-enclosure 3 to Enclosure in No. 1.

Sub-enclosure 3 to Enclosure in No. 1.

Sir, 5, Cannon Row, October 21, 1854.

I have the honour to acknowledge the receipt of your letter of the 12th September last, and, in reply, to acquaint you, for the information of the Lords Commissioners of Her Majesty's Treasury, that I have this day paid to the account of the Master of the Mint, at the Bank of England, the sum of 18,927*l.* 12*s.* 5*d.* according to the following statement:—

	£	s.	d.
Interest on 10,000*l.* exchequer bills, to March 1854 -	207	10	4
Ditto ditto to October 19 - -	200	2	1
Bills sold, and premium - - - - -	10,020	0	0
Cash in hand - - - - - -	8,500	0	0
Total - -	£18,927	12	5

being on account of the expenses incurred with reference to the Sydney Mint.

I have, &c.

Sir C. E. Trevelyan, K.C.B. (Signed) Edw. Barnard.
&c. &c. &c

NEW SOUTH WALES.

No. 2.

No. 2.

EXRTACT of a DESPATCH from the Right Hon. Sir G. GREY, Bart. to Governor Sir W. DENISON.

(No. 20.)*

Downing Street, December 8, 1854.

"I TRANSMIT to you two Orders in Council and Proclamation, the one empowering the striking the Australian sovereigns and half-sovereigns at the Sydney Mint; the other, giving currency to those sovereigns and half-sovereigns within the Australian Colonies."

October 18, 1854.

Proclamation.

October 18, 1854.

Enclosure 1 in No. 2.

Encl. 1 in No. 2.

At the Court at Windsor, the 18th day of October 1854,

PRESENT,

The Queen's most Excellent Majesty in Council.

WHEREAS by an Order in Council, bearing date the 19th day of August 1853, Her Majesty thought fit to order that a branch of the Royal Mint should be established at or near Sydney in New South Wales:

And whereas there was this day read at the Board a representation from Sir John Frederick William Herschell, Baronet, the Master of Her Majesty's Mint, dated the twenty-fifth day of August last, in the words following, viz.:—

"In pursuance of your Majesty's gracious commands that dies for an Australian "sovereign and half sovereign (intended to be struck in the branch of Your Majesty's "Mint at Sydney, in New South Wales) should be prepared according to a pattern which "the master of Your Majesty's Mint had the honour to submit for Your Majesty's appro-"bation, I humbly beg to lay before Your Majesty a description of the impression "intended to be struck on the said Australian sovereign and half sovereign, viz.,

"For the obverse of the sovereign, the effigy of Your Majesty, with the inscription, "'Victoria, D. G. Britanniar. Regina, F. D.,' and the date of the year. For the "reverse, the word, 'Australia,' placed in the centre of the piece encircled by a laurel "wreath and surmounted by the Royal crown, with the inscription, 'Sydney Mint, One "Sovereign,' and with a graining on the edge.

"And for the half sovereign, the obverse in every respect similar to the sovereign, and "for the reverse, the same word 'Australia' in the centre, encircled and surmounted in "like manner, but for the inscription the words, 'Sydney Mint, Half Sovereign,' and a "graining on the edge.

"Should it please Your Majesty to approve of the said impression to be struck on the "Australian sovereign and half sovereign, I humbly request Your Majesty will be gra-"ciously pleased to signify Your Majesty's commands thereon, that the coinage may be "proceeded with as soon as the said Sydney Branch of the Royal Mint shall come into "operation."

Her Majesty having taken the said representation into consideration, was pleased by and with the advice of Her Privy Council to approve of the therein-described impression to be struck on the said Australian sovereign and half sovereign, and the Right Honourable the Lords Commissioners of Her Majesty's Treasury are to give the necessary directions herein accordingly.

(Signed) C. C. GREVILLE.

Enclosure 2 in No 2.

Encl. 2 in No. 2.

At the Court at Windsor, the 18th day of October 1854,

PRESENT,

The Queen's most Excellent Majesty in Council.

WHEREAS there was this day read at the Board the draft of a Proclamation declaring the rates at which certain golden coins, to be called Australian sovereigns and half sovereigns, intended to be struck at Her Majesty's Branch of the Royal Mint, at Sydney, in New South Wales, are to pass current in all Her Majesty's colonies in Australia, New Zealand, and Van Diemen's Land: Her Majesty having taken the same into consideration

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* A Circular Despatch on this subject, dated 31st December 1854, addressed to the Governors of Victoria, South Australia, Western Australia, Van Diemen's Land, and New Zealand.

NEW SOUTH WALES.

was pleased by and with the advice of Her Privy Council to approve thereof, and to order, and it is hereby ordered, that the said Proclamation do take effect and come into force in each of Her Majesty's said colonies and possessions upon and from and after the promulgation thereof by the governors or officers administering the government of the said colonies respectively; and the Lords Commissioners of Her Majesty's Treasury, and the Right Honourable Sir George Grey, Baronet, one of Her Majesty's Principal Secretaries of State, are to give the necessary directions therein accordingly.

(Signed) C. C. GREVILLE.

PROCLAMATION for giving currency to the Australian sovereign and half sovereign within the Australian colonies.

V. R.

WHEREAS by an Order in Council, bearing date the 19th day of August 1853, we have thought fit to order that a branch of Our Royal Mint should be established at or near Sydney in New South Wales:

And whereas in the 18th year of our reign, by an Order in Council dated the 18th day of October 1854, we have thought fit to order that certain pieces of gold money should be coined at the said branch of Our Royal Mint, to be called respectively Australian sovereigns and Australian half sovereigns, and to be of the same respective weights, fineness, and values with the sovereigns and half sovereigns now current within this our realm:

And whereas pursuant to and in virtue of the powers given in Our said Orders in Council, it is provided that a coinage of the said Australian sovereigns and half sovereigns shall be made, and that every such Australian sovereign shall have for the obverse the effigy of Her Majesty, with the inscription, "Victoria, D. G. Britanniar. Regina, F. D." and the date of the year, and for the reverse, the word "Australia," placed in the centre of the piece, encircled by a laurel wreath, and surmounted by the Royal crown, with the inscription, "Sydney Mint, One Sovereign," and with a graining on the edge; and that every such Australian half-sovereign shall have the obverse in every respect similar to that of the sovereign, and for the reverse, the same word, "Australia," in the centre, encircled and surmounted in like manner, but for the inscription, the words "Sydney Mint, Half Sovereign," and a graining on the edge:

And whereas pieces of gold money of the above descriptions will be coined at Our said branch of the Royal Mint in pursuance of orders issued and to be issued by us, We have therefore, by and with the advice of Our Privy Council, thought fit to issue this Our Royal Proclamation; and we do ordain, declare, and command, that the said pieces of gold money so to be coined shall be current and lawful money within all our colonies in Australia, New Zealand, and Van Diemen's Land, and shall pass and be received as current and lawful money therein by the names aforesaid and at the values herein-before assigned to them.

No. 3.

No. 3.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to Governor Sir WILLIAM DENISON.

(No. 17.)

SIR, Downing Street, March 3, 1855.

I HAVE to acknowledge the receipt of Sir C. FitzRoy's Despatch, No. 160,* of the 10th November, accompanied by a further letter and its enclosures from the Rev. W. B. Clarke, respecting the claim which he has preferred to the credit of having pointed out the indications of gold in Australia.

* Page 17.

I have, &c.

(Signed) G. GREY.

Sir William Denison,
&c. &c. &c.

VICTORIA.

VICTORIA.

Despatches from Governor Sir C. Hotham.

No. 1.

No. 1.

Extract of a DESPATCH from Governor Sir Charles Hotham to the Right Hon. Sir George Grey, Bart.

(No. 112.) Tourac, near Melbourne, September 18, 1854.
(Received December 5, 1854.)
(Answered No. 4, January 12, 1855, p. 105.)

"Since assuming the charge of this Government, I have day by day been more impressed with the impossibility of arriving at any conjecture on the state of the internal affairs of the colony without undertaking a personal inspection, and although the pressure of business incident on the proximate meetings of the Legislative Council was quite sufficient to have detained me at Melbourne, nevertheless I resolved not to lose the only opportunity which might for some time occur, to obtain an insight into those interests which have brought Victoria to its present remarkable pitch of prosperity.

"I proceeded in the first instance to Ballarat, where I spent three days, including the Sabbath. I found an orderly, well-conducted people, particular in their observance of the Sunday, living generally in tents, having amongst them a large proportion of women and children; schools of every denomination, and people of every nation, are on the diggings; and there was an appearance of tranquillity and confidence which would reflect honour on any community.

"For some time I was enabled to walk undiscovered amongst them, and thus I gathered their real feelings towards the Government, and obtained an insight into some minor causes on which they desired redress.

"At last my true character became known, and thousands flocked to the hole over which I was waiting to see the gold extracted, and then burst forth shouts of loyalty to Her Majesty, and cries of attachment to the old country, such as can hardly be imagined; the scene ending by a procession of diggers being formed to accompany Lady Hotham and myself to our quarters, a distance of full a mile and a half.

"The gold at Ballarat is obtained by deep sinking, in some cases the shaft is 180 feet deep, the digger then encounters slate, in which the gold is found. The miner of Ballarat must be a man of capital, able to wait the result of five or six months toil before he wins his prize; for this reason he will always be a lover of order and good government, and, provided he is kindly treated, will be found in the path of loyalty and duty.

"At the "Avoca" I stopped but a short time, being anxious to see "Maryborough," on which gold had been recently discovered; and here the sight surpassed every expectation I had formed; six weeks before sheep were grazing on the spot where a street of tents, extending two miles and a half, and occupied by twenty-five thousand souls, were now erected; every article was to be obtained; men of almost every profession were here; places of amusement were not wanting; taverns of high and low degree were constructed: we seemed to be in a hive of men, and, as if to give a practical proof of the respect which Englishmen everywhere pay to law and order, in the middle of the street stood a solitary policeman guarding a store, full of spirits which had been seized because the owner had not procured the required licence. It was a wonderful sight—men jumping up, as it were, from the bowels of the earth, and running to see the new Governor—vehicles of every description obstructing the street—water selling at one shilling and sixpence the bucket, without the aid of which gold cannot be extracted. Such is a new digging; as men form a line of tents for mutual protection, and as the earth in the neighbourhood of their abodes becomes exhausted they strike their tents, pitch them elsewhere, and destroy the original uniformity of appearance.

"But as the diggers pursue the gold, so the authorities must follow the diggers; the Gold Commissioners must be there to decide upon the claims of ground to be apportioned for diggings, and to receive and guard the gold; the police to maintain order; the magistrate to administer the law; the commissariat to provide those serving under Government with provisions. The experience gained elsewhere is of no use here, as everything is peculiar, and the field of action different—all is to be acquired.

"I journeyed on to Castlemaine, in the vicinity of the famous Mount Alexander, and was everywhere overwhelmed by the enthusiasm of the diggers, and deafened by shouts of loyalty. Three miles from the town the procession met my carriage, flags with various devices were exhibited, and addresses presented. I drove through all the neighbouring diggings. I was entertained in the open air by the diggers of Forest Creek, who had prepared refreshments for me. I was invited to a public breakfast, where 300 persons sat down; there seemed to be but one feeling towards the Queen's representative. Such was Castlemaine. But extraordinary as this may seem, the manifestations at Bendigo far surpassed them,—not less than 25,000 men assembled a league from the town to meet me,—by force they took the horses from my carriage, yoking themselves instead, and dragging it to the town. There were triumphal arches, flags, bands of music, vehicles gaily caparisoned, and a continued roar of cheering, with scarcely an interval of cessation. The fervency of the people set the police, military, and authorities at nought; it had been easy to get into the carriage, but it was a service of danger to get out, the pressure of the crowd bore everything onward, and it was with no small joy that I availed myself of a trifling check to escape.

"During my stay of two days in Bendigo I lived with the people; I attended public breakfasts and dinners to which I was invited; and, most singular, I opened the Exhibition of Articles destined to be displayed at Paris. I would particularly call your attention to this latter event, because it marks the rapid advance which this colony has made in civilization and wealth.

"An agitation was set on foot to endeavour to obtain the suppression of the licence fee; and as a petition to that effect was presented to me by the leaders, I thought it advisable to meet the people and addressed them briefly on the subject. I gave them to understand that they must pay for liberty and order; and, on concluding, was loudly cheered.

"It was at this place that the original agitation against the licence fee first commenced. The gold is found near the surface; it is accessible to people of small capital who, if they are fortunate, make no objection to the tax; but, on the other hand, should they be unlucky, dislike paying the trifling sum required at their hands.

"With infinite difficulty could this slight show of disaffection be produced; the mass of the diggers here, as on all the other gold fields, are true-hearted and loyal, and men who, if well treated, may be thoroughly depended upon. Nor does it matter to what nation the digger belongs,—Americans, Germans, and Chinese vie with each other in these manifestations, and are all interested in upholding authority and law.

"I went on to M'Ivor, which, once a flourishing gold field, has only a population of 2,000 dwelling upon it, and returned through an agricultural district to Melbourne.

* * * *

"From the best information which I can obtain, the improvement in the manners and state of feeling of the diggers has resulted from the large increase of women; it is through their influence that this restless population must be restrained; where the soldier will fail, the interest of the wife and child will prevail, and I would rather see an army of ten thousand women arrive, than an equal number of soldiers.

"Indications of the existence of the precious metal are everywhere to be met, and by general opinion the man is not born who will see the end of the gold in this colony; it is my endeavour to stimulate search for new gold fields, by offering high rewards; and the result is, that traces of the miner's pick are apparent in all the gullies bearing an auriferous aspect.

"But it is to machinery that we must look for the full development of the resources of our mineral wealth, in the belief that gold contained in quartz

VICTORIA.

cannot be entirely extracted, except through the instrumentality of the damping engine; and on the conviction that the intelligent miner is also impressed with the same idea, and therefore prepared to accept the scheme, I have seized the occasion of my visit to the gold districts, to declare my intention of granting mining leases for the purpose of erecting machinery; and as I have met with no opposition. I may fairly assume that the idea is acceptable, and that, provided the labours of the digger are not interfered with, or his field of action limited, the introduction of machinery will be looked upon as a benefit to the community.

"A general opinion exists, that the annual export of gold from this colony will continue the same in amount for years to come, and that as the digger obtains sufficient wealth to procure land and settle upon it, the colony will rise to a degree of wealth and prosperity such as in an equal period of time the world has never before seen."

No. 2.

No. 2.

Copy of a DESPATCH from Governor Sir Charles Hotham to the Right Hon. Sir George Grey, Bart.

(No. 120.)

Toorac, near Melbourne, September 22, 1854.

(Received December 5, 1854.)

Sir,

I have the honour to forward for your information the usual returns from the Gold Fields for the two months ending the 31st August 1854.

I have, &c.,

(Signed) CHARLES HOTHAM.

The Right Hon. Sir George Grey,
&c. &c. &c.

Encl. in No. 2.

Enclosure in No. 2.

Gold Returns, contained in the Lieutenant-Governor's Despatch, No. 120, of date 22d September.

July and August 1854.

No. 1.—Return of the number of Licences issued at the various Gold Fields of this Colony.
No. 2.—Return of Gold transmitted by Government Escort from the various workings.
No. 3.—Return of the amount received as Fees for Licences issued.
No. 4.—Return of the amount received as Fees for the Escort of Gold.
No. 5.—Return of Sales by tender of Government Gold.
No. 6.—Return of the amount received as Fees for the Custody of Gold and Cash.
No. 7.—Return of Gold exported.
No. 8.—Return of the receipt and delivery of Gold forwarded by the Government Escorts.
No. 9.—Return of the rates of Wages and Prices current on the various Gold Fields.*
No. 10.—Return of the rates of Wages and Prices current in Melbourne.*
No. 11.—Return of the Arrivals at, and the Departures from this Colony by Sea.
No. 12.—Return of Vessels in harbour ports of Melbourne and Geelong on 1st September1854*
No. 13.—Return of Cases brought before the Circuit Court, held at Castlemaine, on the 9th August 1854.
No. 14.—Return of the Estimated Population on the various Gold Fields.
No. 15.—Return of the Civil, Military, and Police Force employed on the Gold Fields of the Colony.

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* These Returns being extremely voluminous are not printed.

No. 1.

Department of Commissioners for the Gold Fields.

RETURN of the Number of Licences to dig and search for Gold, and to carry on the Business of Storekeepers, issued at the various Gold Fields of this Colony during the Months of July and August 1854.

Locality	July.							August.						
	Miners' Licences.				Storekeepers' Licences.			Miners' Licences.				Storekeepers' Licences.		
	Number of Licences issued for 1 month at £1.	Number of Licences issued for 3 months at £2.	Number of Licences issued for 6 months at £4.	Number of Licences issued for 12 months at £8.	Number of Licences issued for 3 months at £15.	Number of Licences issued for 6 months at £25.	Number of Licences issued for 12 months at £50.	Number of Licences issued for 1 month at £1.	Number of Licences issued for 3 months at £2.	Number of Licences issued for 6 months at £4.	Number of Licences issued for 12 months at £8.	Number of Licences issued for 3 months at £15.	Number of Licences issued for 6 months at £25.	Number of Licences issued for 12 months at £50.
Castlemaine -	1,954	4,874	1	14	71	15	1	2,379	4,343	1	10	120	51	Nil.
Sandhurst - -	857	3,532	10	8	89	40	Nil.	973	3,357	1	8	22	5	Nil.
Ballarat - -	519	1,673	Nil.	3	52	19	5	930	2,407	1	2	69	34	2
Beechworth -	285	536	Nil.	3	12	15	9	406	617	Nil.	3	6	3	2
Heathcote - -	149	199	Nil.	Nil.	3	2	3	107	87	Nil.	Nil.	2	Nil.	5
Total - -	3,764	10,814	11	28	227	91	18	4,795	10,811	3	23	219	93	9

Office of Chief Commmissioners of Gold Fields,
Melbourne, September 21, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

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No. 2.

RETURN of the Quantity of GOLD received at the Gold Offices, Melbourne and Geelong, by the Governmet Escort, from the various Gold Fields of this Colony, during the Months of July and August 1854.

Date.	Government Gold.		Private Gold.				Total.		Grand Total.	
			Melbourne.		Geelong.					
	Quantity.	Money Value at 4*l.* per Ounce.	Quantity.	Value at 4*l.* per oz.	Quantity.	Value at 4*l.* per oz.	Quantity.	Value at 4*l.* per oz.	Quantity.	Value at 4*l.* per oz.
CASTLEMAINE AND SANDHURST.										
	–	–	oz. dwt.	£ s.	oz. dwt.	£ s.	oz. dwt.	£ s.	oz. dwt.	£ s.
July 7	–	–	14,926 18	59,707 12	- -	- -	14,926 18	59,707 12		
„ 14	–	–	22,940 5	91,761 0	- -	- -	22,940 5	91,761 0		
„ 21	–	–	24,717 6	98,869 4	- -	- -	24,717 6	98,869 4		
„ 28	–	–	20,619 0	82,476 0	3,207 10	12, 0	23,826 10	95,306 0		
Aug. 4	–	–	22,916 10	91,666 0	810 15	3, 0	23,727 5	94,909 0		
„ 11	–	–	17,297 15	69,191 0	99 10	0	17,397 5	69,589 0		
„ 18	–	–	12,125 18	48,503 12	- -	- -	12,125 18	48,503 12		
„ 25	–	–	23,142 15	92,571 0	64 0	256 0	23,206 15	92,827 0		
Total	–	–	158,686 7	634,745 8	4,181 15	16,727 0	162,868 2	651,472 8	162,868 2	651,472 8
BALLARAT.										
July 7	–	–	5,898 15	23,595 0	6,027 15	24,111 0	11,926 10	47,706 0		
„ 14	–	–	5,068 0	20,272 0	4,101 15	16,407 0	9,169 15	36,679 0		
„ 21	–	–	4,961 5	19,845 0	2,590 0	10,360 0	7,551 5	30,205 0		
„ 28	–	–	4,956 10	19,826 0	4,544 10	18,178 0	9,501 0	38,004 0		
Aug. 4	–	–	2,946 5	11,785 0	3,191 10	12,766 0	6,137 15	24,551 0		
„ 11	–	–	14,382 10	57,530 0	7,507 10	30,030 0	21,890 0	87,560 0		
„ 18	–	–	7,163 0	28,652 0	3,059 10	12,238 0	10,222 10	40,890 0		
„ 25	–	–	7,722 15	30,891 0	4,803 10	19,214 0	12,526 5	50,105 0		
Total	–	–	53,099 0	212,396 0	35,826 0	143,304 0	88,925 0	355,700 0	88,925 0	355,700 0
BEECHWORTH.										
July 3	–	–	4,188 0	16,752 0	- -	- -	4,188 0	16,752 0		
„ 17	–	–	3,613 10	14,454 0	- -	- -	3,613 10	14,454 0		
„ 31	–	–	3,576 10	14,306 0	- -	- -	3,576 10	14,306 0		
Aug. 14	–	–	4,255 10	17,022 0	- -	- -	4,255 10	17,022 0		
„ 28	–	–	3,874 10	15,498 0	- -	- -	3,874 10	15,498 0		
Total	–	–	19,508 0	78,032 0	- -	- -	19,508 0	78,032 0	19,508 0	78,032 0
HEATHCOTE.										
July 3	–	–	1,231 10	4,926 0	- -	- -	1,231 10	4,926 0		
„ 17	–	–	1,478 10	5,914 0	- -	- -	1,478 10	5,914 0		
„ 31	–	–	1,083 10	4,334 0	- -	- -	1,083 10	4,334 0		
Aug. 14	–	–	992 10	3,970 0	- -	- -	992 10	3,970 0		
„ 28	–	–	526 10	2,106 0	- -	- -	526 10	2,106 0		
Total	–	–	5,312 10	21,250 0	- -	- -	5,312 10	21,250 0	5,312 10	21,250 0
							GRAND TOTAL		276,613 12	1,106,454 8

NOTE.—During the month of August the Gold from the Avoca was forwarded by the Escort *via* Ballarat; it is therefore included in the amount from that Gold Field.

Office of Chief Commissioner of Gold Fields,
Melbourne, September 21, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 3.

RETURN of the AMOUNT of FEES received at this Office per ESCORT during the Months of July and August 1854, being payments on account of LICENCES issued on the various GOLD FIELDS of this COLONY.

Date.	Where Issued.	Gold.	Value. at 4*l.* per oz.			Cash.			Total.		
		ozs.	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
July - - -	Castlemaine, Sandhurst, &c. -	- -	-	-	-	20,439	11	9	20,439	11	9
August - -	Do. - -	--	-	-	-	33,648	0	2	33,648	0	2
	Total -	- -	-	-	-	£54,087	11	11	£54,087	11	11

Office of Chief Commissioner of Gold Fields,
Melbourne, September 21, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 4.

RETURN of the AMOUNT of FEES received at the Gold Offices MELBOURNE and GEELONG on Private GOLD and CASH transmitted per ESCORT from the various GOLD FIELDS of this COLONY, and delivered to the public during the Months of July and August 1854.

Date.	From whence.	Amount.		
		£	*s.*	*d.*
July - - -	Castlemaine, Sandhurst, &c. - - -	4,081	15	1
August - -	Do. Do. - - - -	6,109	11	2
		£10,191	6	3

Office of Chief Commissioner of Gold Fields,
Melbourne, September 21, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 5.

RETURN of SALES by TENDER of GOVERNMENT GOLD, during the Months of July and August 1854.

Date.	To whom Sold.	Quantity.	Price per Ounce.			Amount.			Total.		
		oz.	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
July - - -	Nil - -	—		—			—		Nil.		
August - -	Nil - -	—		—			—		Nil.		
									Nil.		

Office of Chief Commissioner of Gold Fields,
Melbourne, September 21, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No 6.

RETURN of the AMOUNT of FEES received during the Months of July and August 1854, on GOLD and CASH deposited in the Gold Office, Melbourne, for a longer period than Thirty Days.

Date.	Number of Parcels.	Weight.	Cash.			Office Fees.		
		ozs.	£	*s.*	*d.*	£	*s.*	*d.*
July - - - -	102	2,729	-		-	174	13	8
August - - - -	116	3,155	-		-	247	12	1
	218	5,884	-		-	422	5	9

Office of Chief Commissioner of Gold Fields,
Melbourne, September 21, 1854,

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

VICTORIA.

No. 7.

RETURN of the AMOUNT of GOLD exported from this COLONY during the Months of July and August 1854.

Port of Shipment.	July.			August.			Total.		
	Ozs.	dwts.	grs.	Ozs.	dwts.	grs.	Ozs.	dwts.	grs.
Melbourne - - -	200,669	12	4	144,183	3	16	344,852	15	20
Total - -	200,669	12	4	144,183	3	16	344,852	15	20

HUGH E. CHILDERS,
Collector of Customs.

Custom House, Melbourne,
September 1, 1854.

No. 8.

RETURN of the AMOUNT of private GOLD received at, and delivered from, the Gold Office, Melbourne, during the Month of July 1854.

	Ozs.	Dwts.	Ozs.	dwts.
Balance on hand on 30th June 1854 - - -			54,322	11
Received from Mount Alexander - - - -	86,410	19		
„ Ballarat - - - - -	20,884	10		
„ Beechworth - - - - -	11,378	0		
„ Heathcote - - - - -	3,793	10		
			122,466	19
Total - -			176,789	10
Delivered to the public - - - -	137,841	6		
Forwarded to Geelong - - - - -	341	10		
			138,182	16
Balance, 31st July 1854 - - - - -			38,606	14

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

Office of the Chief Commissioner of Gold Fields,
Melbourne, Sept. 21, 1854.

No. 8.

RETURN of the AMOUNT of private GOLD received at, and delivered from, the Gold Office, Melbourne, during the Month of August 1854.

	Ozs.	Dwts.	Ozs.	dwts.
Balance on hand on 31st July 1854 - - - -			38,606	14
Received from Mount Alexander - - -	76,457	3		
„ Ballarat - - - - -	32,214	10		
„ Beechworth - - - -	8,130	0		
„ Heathcote - - - -	1,519	0		
			118,320	13
Total - -			156,927	7
Delivered to the public - - - -	128,555	6		
Forwarded to Geelong - - - - -	4,117	15		
			132,673	1
Balance, 31st August 1854 - - - - -			24,254	6

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

Office of the Chief Commissioner of Gold Fields,
Melbourne, Sept. 21, 1854.

Nos. 9 and 10.

[Consisting of RETURNS of current RATES of WAGES and PRICES, being extremely voluminous, are not printed, but later Returns will be found at pages 53 and 54.]

No. 11.—Return showing the Number of Persons who have arrived in and departed from the Colony of Victoria, by Sea, during the Month of July 1854.

ARRIVALS—JULY.

Port of Arrival.	Place of Departure. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total from Neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne	585	89	24	3	204	56	26	4	542	147	61	10	26	7	–	1	1,357	299	111	18	2,513	1,076	655	121	648	16	5	2	4,518	1,391	771	141	6,821
Geelong	10	1	–	–	–	–	–	–	87	22	14	3	–	–	–	–	97	23	14	3	299	504	246	57	1	1	2	–	397	528	262	60	1,247
Other Ports	2	2	1	–	1	1	4	–	8	5	5	–	–	–	–	–	11	8	10	–	–	–	–	–	–	–	–	–	11	8	10	–	29
Total	597	92	25	3	205	57	30	4	637	174	80	13	26	7	–	1	1,465	330	135	21	2,812	1,580	901	178	649	17	7	2	4,926	1,927	1,043	201	8,097

DEPARTURES—JULY.

Port of Departure.	Place of Destination. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total to Neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne	931	129	56	5	248	36	20	1	479	99	47	4	37	7	13	3	1,695	271	136	13	168	36	24	–	40	2	2	–	1,903	309	162	13	2,387
Geelong	7	1	–	–	–	–	–	–	25	8	11	–	–	–	–	–	32	9	11	–	–	–	–	–	–	–	–	–	32	9	11	–	52
Other Ports	2	5	5	–	–	–	–	–	–	–	–	–	–	–	–	–	2	5	5	–	4	2	–	–	–	–	–	–	6	7	5	–	18
Total	940	135	61	5	248	36	20	1	504	107	58	4	37	7	13	3	1,729	285	152	13	172	38	24	–	40	2	2	·	1,941	325	178	13	2,457

Immigration Office, Melbourne,
August 3, 1854.

Edward Bell,
Immigration Agent.

No. 11.—*Continued.*

RETURN showing the Number of Persons who have arrived in and departed from the Colony of VICTORIA by Sea, during the Month of August 1854.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total from Neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	677	116	44	7	309	88	32	3	442	107	44	7	26	16	7	–	1,454	327	127	17	2,394	927	560	110	1,023	42	44	3	4,871	1,296	731		7,028
Geelong -	13	9	8	1	–	–	–	–	25	7	6	–	1	–	–	–	39	16	14	1	158	339	133	30	–	–	–	–	197	355	147		730
Other Ports	–	–	–	–	4	1	–	–	19	5	2	–	–	–	–	–	23	6	2	–	–	–	–	–	–	–	–	–	23	6	2	–	31
Total -	690	125	52	8	313	89	32	3	486	119	52	7	27	16	7	–	1,516	349	143	18	2,552	1,266	693	140	1,023	42	44	3	5,091	1,657	880	161	7,789

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The Neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	943	145	54	2	354	44	26	1	618	114	66	2	49	10	15	3	1,964	313	161	8	193	43	24	5	103	2	2	1	2,260	358	187	14	2,819
Geelong -	13	2	1	–	–	–	–	–	16	2	2	1	–	–	–	–	29	4	3	1	1	1	5	–	–	–	–	–	30	5	8	1	44
Other Ports	1		–	–	–	–	–	–	3	5	1	–	–	–	–	–	4	5	1	–	–	–	–	–	–	–	–	–	4	5	1	–	10
Total -	957	147	55	2	354	44	26	1	637	121	69	3	49	10	15	3	1,997	322	165	9	194	44	29	5	103	2	2	1	2,294	368	196	15	2,873

Immigration Office, Melbourne,
September 7, 1854.

EDWARD BELL,
Immigration Agent.

No. 12.

RETURN of VESSELS in Harbour Ports of Melbourne and Geelong on 1st September 1854.

[This voluminous Return is not printed.]

No. 13.

A RETURN of the Disposal of 34 Persons brought before the Criminal Circuit Court, Castlemaine, in the Colony of Victoria, for Trial, August 9, 1854.

Offence.	Convicted.	Acquitted	Discharged from absence of witnesses,	Remanded to next Sessions.	Total.
Murder	–	–	–	1	1
Shooting at with intent to do bodily harm	–	1	–	–	1
Robbery in company	3	1	–	–	4
Assault in company with intent to rob	1	–	–	–	1
Stealing in a dwelling-house to the value of £5	3	–	–	2	5
Stealing from the person	1	1	–	–	2
Horse stealing	1	2	–	–	3
Stealing auriferous soil	–	4	–	–	4
Larceny	3	1	1	1	6
Assaulting a peace officer in the execution of his duty	1	–	–	–	1
Maliciously wounding	2	–	–	–	2
Rescue	–	1	–	–	1
Obtaining goods under false pretences	1	–	–	–	1
Attempting to dissuade a witness from giving evidence	2	–	–	–	2
	18	11	1	4	34

SENTENCES.

To 9 years on roads of the Colony	1
„ 8 do. do. do.	3
„ 6 do, do. do.	1
„ 5 do. do. do.	2
„ 4 do. do. do.	1
„ 2 do. do. do.	3
„ 20 months do. do.	1
„ 18 do. do. do.	1
„ 12 do. do. do.	1
„ 18 do. Imprisonment	1
„ 14 days do.	1
Fined	1
Remanded for medical examination—supposed to be insane	1
	18

No. 14.

Department of Commissioners for the Gold Fields.

RETURN of the estimated Population on the various Gold Fields of this Colony on the 19th August 1854.

District.	Men.	Women.	Children.	Total.	Remarks.
Castlemaine	33,650	7,200	8,010	48,860	
Sandhurst	23,500	4,750	4,550	32,800	
Ballarat	15,830	3,800	3,925	23,555	
Beechworth	2,770	385	595	3,750	
Heathcote	1,800	420	550	2,770	
Total	77,550	16,555	17,630	111,735	

Office of the Chief Commissioner of Gold Fields,
Melbourne, September 21, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 15.

RETURN of the Civil, Military, and Police Force, employed on and in connexion with the various Gold Fields of this Colony, on the 31st August 1854.

Name.	Rank.	Date of Appointment.	Salary.	Allowances.	District where stationed.
COMMISSIONERS, &c.					
Wright, W. H. -	Chief Commissioner	May 1, 1852	1,200*l.* per annum	1,000*l.* per annum for travelling expenses and house rent	Melbourne.
Anderson, W. A. D.	Assistant to do. -	Jan. 1, 1854	600*l.* do. -	300*l.* per annum for house rent -	do.
Symonds, E. S. -	Finance Officer -	April 27, 1852	do. -	do. -	do.
Bull, I. E. N. - -	Resident Commissioner	Oct. 9, „	700*l.* do. -	Quarters, rations, and forage. -	Castlemaine.
Turner, W. - -	do. - -	March 7, 1853	do. -	do. -	Beechworth.
Panton, J. A. -	do. - -	Jan. 1, 1854	do. -	do. -	Sandhurst.
Rede, R. - -	do. - -	May 22, „	do. -	do. -	Ballarat.
Doveton, F. C. -	Commissioner -	Jan. 1, 1853	500*l.* do. -	do. -	Castlemaine.
Fenwick, W. -	do. - -	do.	do. -	do. -	do.
Jones, F. - -	do. - -	do.	do. -	do. -	Beechworth.
Sherard, C. W. -	do. - -	May 1, 1853	do. -	do. -	Ballarat.
Willoby, W. - -	do. - -	do.	do. -	do. -	Heathcote.
Crespigny, P. C. -	do. - -	do.	do. -	do. -	Castlemaine.
Brackenburg, W. C.	do. - -	do.	do. -	do. -	Heathcote.
Morphy, J. S. -	do. - -	July 1, 1853	do. -	do. -	Beechworth.
Heron, T. D. S. -	do. - -	do.	do. -	do. -	Castlemaine.
Templeton, W. -	do. - -	do.	do. -	do. -	do.
Murray, V. -	do. - -	do.	do. -	do. -	Beechworth.
Hood, J. K. J. -	do. - -	do.	do. -	do. -	do.
Bury, F. J. - -	do. - -	do.	do. -	do. -	Ballarat.
Lowther, G. M. -	do. - -	do.	do. -	do. -	Castlemaine.
Smith, A. J. -	do. - -	do.	do. -	do, -	do.
Shuter, C. - -	do. - -	Feb. 1, 1854	do. -	do. -	Beechworth.
Reynell, A. - -	do. - -	„ 16, „	400*l.* do. -	do. -	Sandhurst.
Amos, G. A. - -	do. - -	May 1, „	500*l.* do. -	do. -	Ballarat.
Mackenzie, R. C. -	do. - -	do.	do. -	do. -	Sandhurst.
Dowling, C. C. -	do. - -	„ 17, „	do. -	do. -	do.
Middleton, H. T. -	Assistant Commissioner	„ 1, 1853	400*l.* do. -	do. -	Castlemaine.
Horne, R. H. -	do. - -	June 7, „	do. -	do. -	Heathcote.
Mollison, C. - -	do. - -	do.	do. -	do. -	Sandhurst.
Daly, J. - -	do. - -	Nov. 1, „	do. -	do. -	Castlemaine.
Johnstone, J. -	do. - -	„ 24, „	do. -	do. -	Ballarat.
Cogdon, J. - -	do. - -	Jan. 1, 1854	do. -	do. -	Beechworth.
Hamilton, J. P. -	do. - -	do.	do. -	do. -	Castlemaine.
Thompson, G. A. -	do. - -	do.	do. -	do. -	do.
Bernal, A. W. -	do. - -	„ 27, „	do. -	do. -	Sandhurst.
Webster, G. - -	do. - -	do.	do. -	do. -	Ballarat.
Butt, J. W. S. -	do. - -	Feb. 1, „	do. -	do. -	Castlemaine.
Bush, J. - -	do. - -	Mar. 23, „	do. -	do. -	Ballarat.
Standish, F. C. -	do. - -	April 13, „	do. -	do. -	Sandhurst.
Pridham, C. - -	do. - -	May 16, „	do. -	do. -	Castlemaine.
Smith, B. - -	do. - -	„ 18, „	do. -	do. -	Ballarat.
Foster, W. H. -	do. - -	„ 21, „	do. -	do. -	do.
Drummond, W. H.	do. - -	June 21, „	do. -	do. -	Castlemaine.
Cope, W. H. -	Gold Receiver -	Dec. 23, 1851	600*l.* do -	300*l.* per annum for house rent.	Melbourne.
Green, J. - -	do. - -	July 1, 1853	500*l.* do. -	Quarters and rations.	Ballarat.
Wilkinson, J. -	do. - -	do.	do. -	do. -	Sandhurst.
Muspratt, T. -	do. - -	June 7, „	400*l.* do. -	do. -	Heathcote.
Naylor, T. B. - -	do. - -	Oct. 13, „	500*l.* do. -	do. -	Castlemaine.
Hall, M. -	do. - -	July 29, 1854	do. -	do. -	Beechworth.
Hay, R. - -	Chief Clerk - -	Dec. 1, 1853	350*l.* do. -	do. -	Ballarat.
Skeene, H. - -	do. - -	Jan. 1, 1854	do. -	do. -	Sandhurst.
Gaunt, W. H. -	do. - -	Feb, 16, „	do. -	do. -	Beechworth.
Lusignan, H. A. F. -	do. - -	Mar. 1, „	do. -	do. -	Castlemaine.
Francis, R. - -	Clerk - -	Feb. 10, 1853	do. -	175*l.* per annum for house rent.	Melbourne.
Denbigh, J. S. -	do· - - -	Mar. 15, „	do. -	do. -	do.

Name.	Rank.	Date of Appointment.	Salary.	Allowances.	District where stationed.
COMMISSIONERS, &c. —*continued.*					
Bilton, C.	Clerk	Aug. 7, 1852	350*l.* per annum	175*l.* per annum for house rent.	Melbourne.
Croft, F. W. R. W.	do.	Nov. 4, „	300*l.* do.	150*l.* do.	do.
Prior, B. B.	do.	April 18, 1853	200*l.* do.	100*l.* do.	do.
Jones, N. D.	do.	May 17, „	300*l.* do.	150*l.* do.	do.
Maitland, G. C.	do.	„ 23, „	250*l.* do.	125*l.* do.	do.
Probst, D. M. R.	do.	July 5, „	do.	do.	do.
Eades, J. C.	do.	„ 7, „	do.	do.	do.
Locke, J.	do.	Aug. 1, „	300*l.* do.	150*l.* do.	do.
Townsend, E.	do.	„ 11, „	250*l.* do.	125*l.* do.	do.
Jenkins, S. C.	do.	Oct. 10, „	200*l.* do.	100*l.* do.	do.
Squire, E. L. S.	do.	Nov. 24, „	150*l.* do.	75*l.* do.	do.
Pengelly, H. E.	do.	Feb. 13, 1854	300*l.* do.	150*l.* do.	do.
Vivian, S. C.	do. (temporary)	Aug, 17. „	400*l.* do.	200*l.* do.	do.
Clarke, T.	do.	Feb. 23, 1852	300*l.* do.	Quarters and rations.	Castlemaine.
Haywood, R.	do.	April 15, „	250*l.* do.	do.	Sandhurst.
Warner, A.	do.	June 7, „	200*l.* do.	do.	Castlemaine.
Watson, T. B.	do.	Sept. 20, „	250*l.* do.	do.	Heathcote.
Fitzsimons, G. W.	do.	Nov. 3, „	200*l.* do.	do.	Castlemaine.
Wyman, S.	do.	„ 23, „	200*l.* do.	do.	Ballarat.
Hodgkinson, W.	do.	Jan. 1, 1853	200*l.* do.	do.	Castlemaine.
Berry, G. R.	do.	„ 28, „	do.	do.	do.
Church, H. D.	do.	Feb. 16, „	do.	do.	Beechworth.
Rumley, G. J.	do.	Mar. 3, „	250*l* do.	do.	do.
Holmes, F. M. S.	do.	May 17, „	200*l.* do.	do.	do.
Buchanan, W. R.	do.	June 3, „	250*l.* do.	do.	Castlemaine.
Ellis, H.	do.	„ 4, „	150*l.* do.	do.	Heathcote.
Wollaston, W. E.	do.	„ 17, „	250*l.* do.	do.	Sandhurst.
Evans, H.	do.	„ 28, „	200*l.* do.	do.	Ballarat.
Christian, W. S.	do.	do.	150*l.* do.	do.	Heathcote.
Quinan, R.	do.	„ 29, „	200*l.* do.	do.	Beechworth.
De Satgi, O. J.	do.	July 6, „	150*l.* do.	do.	Sandhurst.
Harrington, C.	do.	Aug. 1, „	do.	do.	do.
Chapman, G.	do.	„ 9, „	250*l.* do.	do.	Castlemaine.
Browne, S. U.	do.	„ 10, „	200*l.* do.	do.	Beechworth.
Polwhele, R.	do.	do.	150*l.* do.	do.	do.
Firebrace, J.	do.	do.	do.	do.	Ballarat.
Malpas, F.	do.	„ 12, „	do.	do.	do.
Mulligan, J. A.	do.	Oct. 4, „	do.	do.	Sandhurst.
Wrixon, E.	do.	„ 10, „	200*l.* do.	do.	Castlemaine.
Cox, R.	do.	do.	do.	do.	Heathcote.
Elkins, H	do.	„ 21, „	do.	do.	do.
Alexander, B.	do.	Nov. 22, „	150*l.* do.	do.	Castlemaine.
Jones, J. B.	do.	Dec. 1, „	do.	do.	Beechworth.
Webb, S. H.	do.	Jan. 1, 1854	do.	do.	Sandhurst.
King, R. F.	do.	„ 14, „	do.	do.	Ballarat.
Bell, J. T.	do.	„ 18, „	do.	do.	Beechworth.
Sewell, W.	do.	do.	do.	do.	Ballarat.
Forbes, A.	do.	Feb. 17, „	do.	do.	Castlemaine.
Carter, C. C.	do.	„ 28, „	do.	do.	do.
Johns, R. E.	do.	Mar. 1, „	do.	do.	Sandhurst.
Wemyss, B. D.	do.	„ 11, „	do.	do.	do.
Singleton, E.	do.	April 3, „	do.	do.	Castlemaine.
Rigbye, N. J. B. B.	do.	„ 27, „	do.	do.	do.
Tracey, J.	do.	May 1, „	do.	do.	do.
Fosbery, M. D.	do.	„ 13, „	do.	do.	Sandhurst.
Evans, T. F.	do.	„ 31, „	do.	do.	do.
Campbell, R. M.	do.	June 6, 1854	do.	do.	Ballarat.
Bull, G. F.	do.	„ 7, „	do.	do.	do.
Biers, J. T.	do.	„ 8, „	do.	do.	do.
Thomas, T. W.	do.	„ 13, „	do.	do.	Sandhurst.
Piper, J.	do.	„ 14, „	do.	do.	Ballarat.
Smith, F. A.	do.	„ 24, „	do.	do.	Castlemaine.
Stevens, E.	do.	do.	do.	do.	do.
Fifty-nine	Tentkeepers	-	8*s.* per diem	do.	Various.
Two	Labourers	-	do.	do.	do.
Eleven	Drivers	-	8*s.* to 12*s.* do.	do.	do.
Eight	Packhorse keepers	-	8*s.* do.	do.	do.
DISTRICT SURGEONS, &c.					
Candler, S. C.	District Surgeon	May 20, 1853	350*l.* per annum	Quarters, rations, and forage.	Castlemaine.
Sconce, C.	do.	„ 31, „	200*l.* do.	do.	Heathcote.

Name.	Rank.	Date of Appointment.	Salary.	Allowances.	District where stationed.
DISTRICT SURGEONS, &c.—*continued.*					
Howlett, H.	District Surgeon	Oct. 23, 1853	400*l.* per annum	Quarters, rations, and forage.	Castlemaine.
Murpy, W.	do.	Feb. 7, 1854	350*l.* do.	do.	Beechworth.
Lynch, S. S.	do.	April 13, „	do.	do.	Sandhurst.
Williams, D. J.	do.	Aug. 9, „	do.	do.	Ballarat.
Robertson, A.	Acting do.	April 13, „	21*s.* per diem	-	Waranga.
Six	Tentkeepers	-	8*s.* do.	Quarters and rations	Various.
Six	Hospital attendants	-	do.	do.	do.
POSTMASTERS, &c.					
Fryer, F.	Postmaster	March 27, 1852	300*l.* per annum	Quarters and rations	Castlemaine.
Whitty, J.	do.	April 25, 1853	250*l.* do.	do.	Beechworth.
Pain, C. H.	do.	Sep. 1, „	300*l.* do.	do.	Ballarat.
Norris, E.	do.	Jan. 15, 1854	do.	do.	Sandhurst.
Pollard, J. G.	Acting do.	March 14, „	200*l.* do.	do.	Castlemaine (Maldon).
Foster, G.	do. do.	April 19, „	do.	do.	Castlemaine (Kingower).
Thompson, G.	do. do.	„ 10, „	do.	do.	Heathcote (Waranga).
Stuart, D.	do.	July 10, „	250*l.* do.	do.	Heathcote.
Yates, T.	Clerk	Sept. 14, 1853	200*l.* do.	do.	Castlemaine.
Dyer, A. S. J.	do.	Jan. 1, 1854	150*l.* do.	do.	Beechworth.
Young, P. C.	do.	April 20, „	200*l.* do.	do.	Ballarat.
Stodart, E. H.	do.	„ 22, „	150*l.* do.	do.	Castlemaine.
Dunnage, C.	do.	May 21, „	200*l.* do.	do.	Sandhurst.
Fatherly, G. C.	do.	„ 22, „	150*l.* do.	do.	Castlemaine.
Scott, R.	do.	„ 25, „	do.	do.	Ballarat.
Vibert, G.	do.	June 8, „	do.	do.	Sandhurst.
Bond, F.	do.	„ 13, „	do.	do.	Castlemaine.
Johnson, E.	do.	„ 22, „	do.	do.	Sandhurst.
Pooley, W. T.	do.	July 31, „	do.	do.	Ballarat.
Aldwell, J. A.	do.	Aug. 19, „	do.	do.	Castlemaine.
Nine	Tentkeepers	-	8*s.* per diem	do.	Various.
ASSISTANT CIVIL COMMISSARIES, &c.					
Ralph, J.	Assistant Civil Commissary.	Sept. 23, 1853	500*l.* per annum	Quarters, rations, and forage.	Castlemaine.
Lapslie, W. F.	do.	do.	do.	do.	Sandhurst.
Meyrick, A.	do.	do.	do.	do.	Beechworth.
Hodgson, J. B.	do.	do.	do.	do.	Heathcote.
Webster, G.	do.	Oct. 23, 1853	do.	do.	Ballarat.
Bennet, H. O.	Clerk	„ 1, „	300*l.* do.	Quarters and rations	Castlemaine.
Grindall, R.	do.	do.	200*l.* do.	do.	Ballarat.
Stafford, J. W.	do.	Nov. 9, „	do.	do.	Heathcote.
Bates, R. W.	do.	Jan. 27, 1854	do.	do.	Castlemaine.
Taylor, F.	do.	Dec. 6, 1853	do.	do.	Sandhurst.
Heron, W. T. A.	do.	June 16, 1854	do.	do.	Ballarat.
Huyghue, S. D. S.	Storekeeper	Oct. 1, 1853	300*l.* do.	do.	do.
Kerr, J. F. F.	do.	do.	do.	do.	Sandhurst.
Tyrer, J. H.	do.	do.	do.	do.	Beechworth.
Drake, J.	do.	Feb. 23, 1854	200*l.* do.	do.	Heathcote.
Broderick, E.	do.	May 20, „	do.	do.	Castlemaine.
Harvey, F. E.	do.	June 26, „	do.	do.	do.
Fitzgerald, J.	do.	In temporary charge.	150*l.* do.	do.	do.
Eleven	Storemen	-	8*s.* to 10*s.* per diem.	do.	Various.
Eleven	Carters	-	do.	do.	do.
Seventeen	Labourers	-	8*s.* do.	do.	do.
Seven	Tentkeepers	-	do.	do.	do.
DEPUTY SHERIFFS, &c.					
Weston, C.	Deputy Sheriff	Jan. 16, 1854	100*l.* per annum*	-	Beechworth.
Hardy, P. D. H.	do.	do.	do.*	-	Heathcote.
Dewes, J.	do.	May 26, „	do.*	-	Ballarat.
Call, F.	do.	June 21, „	600*l.* do.	Quarters, rations, and forage.	Castlemaine and Sandhurst.
McLachlan, L.	Visiting Justice	Jan. 16, „	150*l.* do.*	-	Sandhurst.

* In addition to salaries received as officers of other departments.

Name.	Rank.	Date of Appointment.	Salary.	Allowances.	District where stationed.
DEPUTY SHERIFFS, &c. —*continued.*					
Dale, J.	Bailiff	Nov. 1, 1853	300*l.* per annum	Rations and forage	Castlemaine.
Lupton, J. E.	do.	Jan. 1, 1854	do.	do.	Sandhurst.
Walford, W. F.	Clerk and Bailiff	„ 21, „	do.	Quarters and rations	Heathcote.
Brett, W. G.	do.	„ 23, „	do.	do.	Beechworth.
Nicholson, A. B.	Gaoler	Jan. 1, 1853	do.	do.	Castlemaine.
Gee, J. W.	do.	„ „ 1854	do.	do.	Sandhurst.
Morton, G.	Clerk	do.	200*l.* do.	do.	Castlemaine.
Jannan, G.	do.	do.	do.	do.	Sandhurst.
Four	Male Turnkeys	- -	10*s.* per diem	do.	Castlemaine and Sandhurst.
One	Female do.	- -	6*s.* 6*d.* do.	do.	Castlemaine.
Eight	Cooks and Tentkeepers.	- -	8*s.* do.	do.	Various.
CLERKS OF THE PEACE, &c.					
Lysaght, J.	Clerk of the Peace	Jan. 23, 1854	300*l.* per annum	- - -	Sandhurst.
Landon, A.	do.	Feb. 27, „	350*l.* do.	- - -	Castlemaine.
Greene, F.	do.	Jan. 25, 1853	400*l.* do.	100*l.* per annum in lieu of quarters.	Ballarat.
Peters, H. C.	Acting do.	Jan. 23, 1854	100*l.* do.*	- - -	Heathcote.
Waldon, J. W.	do. do.	do.	do.*	- - -	Beechworth.
Tweedie, W.	Bailiff	Nov. 12, 1853	200*l.* do.	Quarters	Ballarat.
Michell, G. E.	do.	Aug. 1854	300*l.* do.	do.	Castlemaine.
Johnston, S.	do.	March 1, „	150*l.* do.	Rations	Heathcote.
Campbell, C. A.	Acting do.	do.	50*l.* do.*	- -	Sandhurst.
Brett, W. G.	do. do.	Jan. 23, „	100*l.* do.*	- - -	Beechworth.
Four	Tentkeepers	- -	8*s.* to 10*s.* per diem	Quarters and rations	Various.
POLICE MAGISTRATES, &c.					
McCrae, A.	Police Magistrate	Jan. 1, 1853	500*l.* per annum	150*l.* per annum, forage and quarters	Ballarat.
McLachlan, L.	do.	do.	do.	do.	Sandhurst.
Dewes, J.	do.	Nov. 1, „	do.	do.	Ballarat.
Hardy, P. H.	do.	Jan. 1, 1854	do.	do.	Castlemaine.
Westow, C. C.	do.	do.	do.	do.	Beechworth.
Hackett, C. P.	do.	May 1 „	do.	do.	Castlemaine.
Orme, F. K.	do.	Aug. 1 „	do.	do.	do.
Arnold, T. G.	do.	do.	do.	do.	Heathcote.
Akehurst, A. P.	Clerk of Petty Sessions	Jan. 1, 1853	250*l.* do.	Quarters	Ballarat.
Sanders, T. J.	do.	do.	do.	do.	Sandhurst.
Roe, W. F.	do.	Feb. 7 „	do.	do.	Castlemaine.
Montgomery, R. M.	do.	Mar. 7 „	300*l.* do.	do.	do.
Peters, H. C.	do.	May 10 „	250*l.* do.	do.	Heathcote.
Walden, J. W.	do.	June 1 „	do.	do.	Beechworth.
Hutchinson, G. L.	do.	Dec. 20 „	do.	do.	Castlemaine.
Prendergast, J.	do.	„ 30 „	do.	do.	do.
Kentish, H. N. L.	do.	April 9, 1854	do.	do.	do.
Homan, B. S.	do.	June 27 „	do.	do.	Ballarat.
Probert, J. H.	do.	July 27 „	do.	do.	Beechworth.
Lampriere, F.	Assistant do.	June 20 „	200*l.* do.	do.	Castlemaine.
McLennon, L.	do.	Jan. 1, 1854	do.	do.	Ballarat.
Sixteen	Tentkeepers	- -	8*s.* per diem	Quarters and rations	Various.
POLICE FORCE.					
Dana, W. A. P.	Senior Inspector	Jan. 1, 1854	700*l.* per annum	Quarters and forage	Heathcote.
Lyttleton, T. H.	do.	do.	do.	do.	Sandhurst.
Forster, H.	do.	do.	do.	do.	Castlemaine
Burke, R. O. H.	do.	do.	do.	do.	Beechworth.
Bookey, P. L. P.	Inspector	do.	600*l.* do.	do.	Escort duty.
Evans, G.	do.	do.	do.	do.	Ballarat.
Berkeley, C.	Senior Sub-Inspector	do.	400*l.* do.	Quarters, forage, and 50*l.* per annum, as Divisional Paymaster	Castlemaine.
Langley, T. E.	do.	do.	do.	Quarters and forage	Ballarat.

* In addition to salaries received as officers of other departments.

Name.	Rank.	Date of Appointment.	Salary.	Allowances.	District where stationed.
POLICE FORCE—*continued.*					
Hamilton, G. D. C. -	Senior Sub-Inspector	Jan. 1, 1854	400*l.* per annum	Quarters and forage	Castlemaine.
Jackson, W. - -	do. -	do.	do. -	do. -	Beechworth.
Winch, F. - -	do. -	do.	do. -	Quarters, forage, and 50*l.* per annum as Divisional Paymaster - -	Sandhurst.
Wilson, B. T. - -	do. -	do.	do. -	Quarters and rations	Beechworth.
Geary, H. V. - -	do. -	do.	do. -	do. -	Castlemaine.
Funnell, S. - -	do. -	do.	do. -	do. -	Beechworth.
McCulloch, R. -	do. -	do.	do. -	do. -	Escort duty.
Mason, J. - -	do. -	do.	do. -	do. -	Beechworth.
Carter, C. J. - -	Sub-Inspector -	May 21, 1853	350*l.* do. -	do. -	Ballarat.
Hill, H. - -	do. - -	June 1 „	do. -	do. -	Heathcote.
McNeill, N. - -	do. - -	Jan. 1, 1854	do. -	do. -	Castlemaine.
Barclay, H. R. -	do. - -	do.	do. -	Quarters, rations, and 50*l.* per annum as Divisional Paymaster.	Beechworth.
Purcell, D. - -	do. - -	do.	do. -	Quarters and forage	Sandhurst.
Chomley, H. - -	do. - -	do.	do. -	do. -	Ballarat.
Taylor, A. E. - -	do. - -	do.	do. -	do. -	do.
Sharman, H. - -	do. - -	do.	do. -	do. -	Castlemaine.
Green, R. - -	do. - -	do.	do. -	do. -	do.
Nicholson, C. H. -	do. - -	do.	do. -	do. -	do.
Xemines, M. - -	do. - -	May 19 „	do. -	do. -	Ballarat.
Cobb, F. - -	do. - -	do.	do. -	do. -	Beechworth.
Darcy, D. - -	do. - -	do.	do. -	do. -	Heathcote.
Yates, R. C. - -	do. - -	do.	do. -	do. -	Castlemaine.
Otway, F. - -	do. - -	do.	do. -	do. -	Sandhurst.
Leeck, R. - -	Lieutenant - -	Aug. 6, 1853	300*l.* do. -	do. -	Escort duty.
Burton, O. - -	do. - -	„ 13 „	do. -	do. -	Sandhurst.
Kabat, L. - -	do. - -	Sept. 17 „	do. -	do. -	do.
Kossack, L. - -	do. - -	do.	do. -	do. -	Castlemaine.
Symons, W. - -	do. - -	do.	do. -	do. -	Heathcote.
Powell, M. - -	do. - -	Oct. 1 „	do. -	do. -	Beechworth.
Hare, F. - -	do. - -	Dec. „	do. -	do. -	do.
Keene, C. R. - -	do. - -	do.	do. -	do. -	do.
Ryan, E. - -	do. - -	do.	do. -	do. -	Castlemaine.
Stoney, G. H. -	Sub-lieutenant -	May 2, 1854	250*l.* do. -	do. -	do.
Sinyley, W. - -	do. - -	„ 3 „	do. -	do. -	Ballarat.
Disney, R. - -	do. - -	„ 5 „	do. -	do. -	Beechworth.
Beaver, A. - -	do. - -	„ 4 „	do. -	do. -	do.
Shearman, R. C. -	do. - -	June 1 „	do. -	do. -	Castlemaine.
Six - -	Senior Serjeants -	Mounted -	13*s.* 6*d.* per diem	Quarters and rations	Various.
Twenty-seven -	Serjeants - -	do.	12*s.* 6*d.* do. -	do. -	do.
Forty-one -	Acting do. - -	do.	11*s.* 6*d.* do. -	do. -	do.
Three hundred and twenty-nine - -	Troopers - -	do.	10*s.* 6*d.* do. -	do. -	do.
Two - -	Senior Serjeants -	Foot -	13*s.* 6*d.* do. -	do. -	do.
Twenty-four -	Serjeants - -	do. -	12*s.* 6*d.* do. -	do. -	do.
Thirty-three -	Acting do. - -	do. -	11*s.* 6*d.* do. -	do. -	do.
Four hundred and sixty-three	Constables - -	do. -	10*s.* 6*d.* do.	do. -	do.
Ten - -	Escort drivers -	- -	5*l.* per week -	do. -	do.
Thirty-four -	do. grooms -	- -	10*s.* 6*d.* per diem	do. -	do.
MOUNTED MILITARY.					
Thomas, J. W. -	Captain 40th Regiment	Jan. 1, 1853	11*s.* 7*d.* do.	12*s.* 6*d.* per diem, 200*l.* per annum, quarters, rations, and forage for two horses.	Various.
Hall, C. H. - -	Lieutenant 40th „	do.	6*s.* 6*d.* do. -	10*s.* per diem, 100*l.* per annum, quarters, rations, and forage for two horses.	do.
Gardyne, T. M. B. -	do. „ „	do.	do.		
O'Hara, W. - -	do. „ „	do.	do. -	10*s.* and 7*s.* 6*d.* per diem, quarters, rations, and forage for two horses.	do.
Baddeley, F. C. H. S.	do. „ „	do.	do. -		

Name.	Rank.	Date of Appointment.	Salary.	Allowances.	District where stationed.
MOUNTED MILITARY, &c.—*continued.*					
One - -	Serjeant major -	- -	4*s.* 8*d.* per diem	4*s.* 8*d.* per diem, 1*s.* per diem clothing allowance, quarters, and rations.	Various.
One - -	Serjeant - -	- -	3*s.* 8*d.* do. -	4*s.* and 1*s.* do. do. -	do.
Two - -	Lance serjeants -	- -	2*s.* 8*d.* do. -	3*s.* 6*d.* and 1*s.* do. do.	do.
One - -	Troop corporal -	- -	2*s.* do. -	3*s.* and 1*s.* do. do. -	do.
Five - -	Lance corporals -	- -	do. -	2*s.* 6*d.* and 1*s.* do. do.	do.
Forty-eight -	Privates - -	- -	do. -	2*s.* and 1*s.* do. do. -	do.
ENROLLED PERSIONERS.					
Russell, F. B. -	Captain commanding	Sept. 1853	13*s.* per diem -	25*s.* per diem command money, 80*l.* per annum for rent of house in V. D. L., quarters, rations, and forage.	Ballarat.
Finch, J. B. - -	Lieutenant 11th Regt.	do.	6*s.* 6*d.* do. -	20*s.* per diem, rations, and forage for one horse.	Beechworth.
Hall, C. H. - -	do. 40th ,,	May 1854	See mounted force		Castlemaine.
Baylis, R. - -	do. 99th ,,	Sept. 1853	6*s.* 6*d.* per diem		Sandurst.
One - -	Serjeant major -	- -	11*s.* do. -	Quarters and rations	Various.
One - -	Quarter master serjeant	- -	do. -	do. -	do.
Four - -	Pay serjeants -	- -	7*s.* 6*d.* do. -	do. -	do.
Six - -	Serjeants - -	- -	7*s.* do. -	do. -	do.
Fourteen -	Corporals - -	- -	6*s.* do. -	do. -	do.
Three - -	Drummers - -	- -	5*s.* do. -	do. -	do.
One hundred and seventy-nine -	Privates - -	- -	do.	do. -	do.
ECCLESIASTICAL.					
Episcopalian.					
Gregory, J. H. -	Clergyman - -	Jan. 1, 1852	450*l.* per annum	- - -	Sandhurst.
Cheyne, J. - -	do. - -	Jan. 1, 1853	do. -	- - -	Castlemaine.
Searle, C. - -	Lay Reader - -	Jan. 1, 1854	do. -	- - -	Heathcote.
Presbyterian.					
Low, J. - -	Clergyman - -	July 1, 1852	450*l.* per annum	- - -	Castlemaine.
Martin, J. - -	do. - -	Jan. 5, 1854	do. -	- - -	Ballarat.
Wesleyan.					
Raston, T. - -	Clergyman - -	July 1, 1853	450*l.* per annum	- - -	Sandhurst.
Wills, W. P. -	do. - -	Mar. 1, 1854	do. -	- - -	Casllemaine.
Taylor, T. - -	do. - -	do.	do. -	- - -	Ballarat.
Roman Catholic.					
Backhaus, H. -	Clergyman -	April 1, 1852	450*l.* per annum	- - -	Sandhurst.
Barrett, T. - -	do. - -	Feb. 14, 1854	do. -	- - -	Castlemaine.
Smythe, P. - -	do. - -	July 1, ,,	do. -	- - -	Ballarat.
ASSISTANT ENGINEERS, &c. (Buildings.)					
Lane, H. B. - -	Assistant Engineer -	April, 1853	500*l.* per annum	Quarters, rations, and forage.	Ballarat.
Nixon, F. H. - -	Clerk of Works -	Jan. ,,	400*l.* ,, -	Quarters and rations	Beechworth.
Hartley, A. -	do. - -	June ,,	500*l.* ,, -	Quarters, rations, and forage.	Castlemaine.
Burgoyne, W. H. -	do. - -	Nov. ,,	400*l.* ,,	Quarters and rations	Sandhurst.
Four -	Tentkeepers -	- -	8*s.* per diem -	do. -	Various.
ROAD ENGINEERS, &c.					

The President of the Central Road Board states that there are no persons of his department employed solely in connexion with the Gold Fields.

Name	Rank.	Date of Appointment.	Salary.	Allowances.	District where stationed.
SURVEYORS, &c.					
Urquhart, W. S. -	Surveyor - -	Dec. 1, 1845	600*l.* per annum	200*l.* per annum, in lieu of equivalent, and rations and forage.	Castlemaine.
Smythe, G. D. -	do. -	Oct. 7, 1852	do. -	do. -	Beechworth.
Burr, T. -	Acting Surveyor -	Nov. 1, 1853	500*l.* do. -	do. -	Ballarat.
Turner, J. - -	Assistant do. -	June 6, „	400*l.* do. -	do. -	Castlemaine.
Larritt, R. W. -	do. - -	July 12, „	do. -	do. -	Sandhurst.
Chauncey, P. - -	do. - -	Aug. 24 „	do. -	do. -	Heathcote.
Colbert, E. - -	Temporary Surveyor	May 7, „	350*l.* do. -	do. -	do.
Whitty, J. W. -	do. -	May 24 „	do. -	do. -	Beechworth.
Grimes, H. - -	do. -	Aug. 2 „	do. -	do. -	Sandhurst.
Templeton, J. -	do. -	Sept. 17 „	do. -	do. -	Castlemaine.
Adair, T. - -	do. -	Nov. 10 „	do. -	do. -	do.
Fraser, H. - -	do. -	do. „	do. -	do. -	do.
Nicholson, J. M. -	do. -	Nov. 14 „	do. -	do. -	Heathcote.
Daniell, J. D. -	do. -	Dec. 14 „	do. -	do. -	Castlemaine.
Harvey, R. M. -	do. -	Dec. 21 „	do. -	do. -	Ballarat.
Bellairs, E. F. -	do. -	Jan. 20, 1854	do. -	do. -	do.
Wellington, E. -	do. -	Feb. 13 „	300*l.* do. -	do. -	Sandhurst.
Russell, C. J. W. -	do. -	March 1 „	do. -	do. -	do.
Green, J. - -	do. -	May 16 „	do. -	do. -	Castlemaine.
Gaitskill, W. -	do. -	March 28 „	20*s.* per diem -	Rations - -	Ballarat.
Willis, G. - -	Draughtsman -	Aug, 17, 1853	300*l.* per annum	Quarters - -	Castlemaine.
Beasley, C. - -	do. - -	Oct. 11 „	250*l.* do. -	do. - -	do.
Crawford, W. H. -	Auctioneer -	Feb. 21, 1854	200*l.* do. -	50*l.* per annum for house, and 10*s.* per diem for office rent, with rations.	do.
Twenty -	Bullock drivers and Tentkeepers -	- -	9*s.* per diem -	Rations - -	Various.
Ninety-five -	Labourers - -	- -	8*s.* do. -	do. - -	do.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

Office of the Chief Commissioner of Gold Fields,
Melbourne, September 21, 1854.

No. 3.

No. 3.

COPY of a DESPATCH from Governor Sir C. HOTHAM to the Right Hon. Sir GEORGE GREY, Bart.

(No. 148.) Toorac, near Melbourne, November 18, 1854.
(Received Feb. 12, 1855.)

SIR, (Answered No. 16, March 3, 1855, page 105.)

I DO myself the honour to inform you that, on the night of the 6th of October last, James Scobie was found murdered on the gold field of Ballarat. As he had been last seen coming from the Eureka Hotel, suspicion fell upon the landlord, James Bentley, his wife, and John Farrell, all of whom had formerly been convicts in Van Diemen's Land, and they were accordingly taken up, and brought before the bench of magistrates at Ballarat.

The magistrates, after hearing the evidence and examining witnesses, pronounced the prisoners not guilty of the charges preferred against them, and they were accordingly released.

This decision gave great dissatisfaction to the entire digging community of Ballarat; they denounced the presiding magistrate, Mr. Dewes, accused him of being connected by interest with Bentley, and broadly asserted that he had been bought over.

Infuriated with rage, a vast assemblage of diggers was soon on the ground; and notwithstanding the exertions of the magistrates, police, and a small party

of military, they set fire to the hotel, sacked it, and burnt it to the ground, and with infinite difficulty the prisoners obtained safety in the camp, and escaped the summary capital punishment to which it was intended to subject them.

The knowledge of strength which they now had acquired, and the indecision and oscillation of the authorities in allowing the riot to get head, caused the diggers to hold mass meetings, use the most threatening language to the officers on the gold field, and led them to fear that an attack would be made on the Government buildings, and that they in turn might be destroyed.

On obtaining official information of these proceedings, I lost no time in making such dispositions as I concluded would enable the authorities to maintain the integrity of the law, and, within four days, 450 military and police were on the ground, commanded by an officer in whom I had confidence, and who was instructed to enforce order and quiet, support the civil authority in the arrest of the ringleaders, and to use force, whenever legally called upon to do so, without regard to the consequences which might ensue.

These dispositions, and the knowledge that the military were instructed to act, checked all further movement on the part of the diggers. Four of the supposed ringleaders were arrested, and very heavy bail taken for their appearance to stand their trial. Gradually the irritation subsided, and the diggers returned to their ordinary labour; but the law officers of the Crown being of opinion that sufficient evidence did exist to criminate Bentley, his wife, and Farrell, they were again arrested, and are now in prison, awaiting their trial at the approaching assize.

The movement being now quelled, it behoved me to investigate the charges which poured in from all quarters, of general corruption on the part of the authorities of the Ballarat gold field; and, accordingly, I appointed a Board of Inquiry, composed of officers of standing and ability, and directed them to proceed to Ballarat, and ascertain if there was any foundation for these charges.

The Board report that the stipendiary magistrate, Mr. Dewes, had obtained loans of money from various individuals resident at Ballarat, and state "that "such acts cannot be too severely animadverted upon as tending to subvert "public confidence in the integrity and impartiality of the bench."

They also report Sergeant Major Milne, of the police force, as guilty of receiving bribes; but, with these exceptions, they are unanimous in declaring that the conduct of the officers on the Ballarat gold field has been honourable and correct.

I have directed that Mr. Dewes' name be erased from the Commission of the Peace, and have requested the Attorney General to inform me whether Sergeant Major Milne can be prosecuted for receiving money illegally.

In the meantime I have directed the law officers to prepare a Bill, rendering any district which may be proclaimed by the Lieutenant-Governor "disturbed" liable to defray, by assessment, all extraordinary charges which may arise either from violence or an increase of force.

I have, &c.
(Signed) CHARLES HOTHAM.

The Right Hon. Sir George Grey,
&c. &c. &c.

No. 4.

No. 4.

Copy of a DESPATCH from Governor Sir Charles Hotham to the Right Hon. Sir George Grey, Bart.

(No. 151.) Toorac, near Melbourne, November 19, 1854.
(Received February 12, 1855.)
(Answered No. 10, March 1, 1855, page 105.)

Sir,

The mode of raising a revenue from the gold fields by means of the licence fee, and the personal inconvenience to which the individual miner is subjected in the collection, having created a very general feeling of dissatisfaction amongst the mining community, I do myself the honour to inform you that I have deemed it advisable to appoint a commission of inquiry, composed of gentlemen who are believed to possess the confidence of the public.

VICTORIA.

They are instructed to devise the best means of issuing mining leases, and promoting the establishment of companies employing machinery, on land which the digger has abandoned; to recommend the most convenient mode of raising a revenue from the gold fields; and, generally, to inquire into the manner in which the law is administered, and into the conduct of the authorities.

I have no reason to believe that this inquiry will do more than allay a temporary grievance; with the class of men who frequent this colony in search of gold, and the much-to-be-lamented absence of domestic influences, disturbances arising from the most trival causes must always be anticipated, and the Government should be kept prepared for an outbreak when least expected; but I am desirous to remove, as far as possible, any just cause of complaint which may exist, and basing future legislation on the report of the commission, maintain it on grounds which may be supported by the judgment of the public.

In some shape or other, the miner must contribute largely to the colonial revenue; he must pay for his personal protection, the support of the officers who adjudicate upon the complaints arising out of conflicting mining disputes, and he must assist towards the formation of roads, in which the profession to which he belongs is most especially interested.

It will be for the gentlemen who have undertaken this duty to recommend the course which, upon the whole, is most free from objection, and whenever they make their report, I shall lose no time in bringing it to your notice.

I have, &c.
(Signed) CHARLES HOTHAM.

Right Hon Sir George Grey, Bart.
&c. &c. &c.

Encl. in No. 4.

Enclosure in No. 4.

SIR, Government Offices, Melbourne, November 16, 1854.

THE Lieutenant-Governor having had under his consideration the general state and condition of the mining population of this colony, and being desirous to ascertain whether any amendment or improvement in the present mode of administering the law and collecting the revenue can be effected, and whether any reasonable grounds for discontent exist amongst that portion of the community, has resolved to institute and appoint a commission composed of the gentlemen named in the margin, and presided over by Mr. Haines.

Messrs. Haines, Westgarth, Fawkner, M'Cullock, Wright, Strachan, the Auditor General (ex officio).

The Lieutenant-Governor is far from desiring to limit the subjects of inquiry or do more than indicate the points which seem to him to be of the most importance; he wishes the Commission to understand that their proceedings and inquiries are to be entirely uncontrolled, the sole object of his Excellency being, to obtain such evidence and information, as will entirely satisfy all classes of the community, and at the same time enable the government which his Excellency directs to institute a system of administration which may prove satisfactory to those residing on auriferous lands.

To obtain these ends his Excellency gladly avails himself of the services of the gentlemen forming the Commission, for although it may appear to some, that the Government are thus delegating a portion of its legitimate functions, it is nevertheless to be hoped that the reflecting part of the community will perceive an earnest intention to seek by truly constitutional means, a course of action which will set at rest conflicting questions, and enable Government vigorously to maintain the law.

It is not necessary here to dwell upon the propriety of collecting a revenue from this particular portion of the community, or push forward the numerous reasons which exist for levying a tax upon the seekers of gold; suffice to say that the miner, like every one else, must pay for his personal protection; that the miner must contribute to the general revenue for the formation of roads and highways in which he is particularly interested, but to which as a class he only indirectly contributes; and that the miner can claim no especial right to occupy and use the Crown lands without payment.

Assuming then that there is a general concurrence of opinion on the propriety of obtaining a revenue from the gold fields, the question which remains for discussion is, to devise the mode of levying which may be the least harassing to the individual; and herein lays the real difficulty of the problem, and on which the Lieut.-Governor resorts to the Commission for counsel and advice.

The practice at present in force is far too familiar to need comment, but other systems have been recommended, each of which has its advantages and merits consideration.

The first is, to levy a tax upon tents; the second is, to enforce payment by taxing the claim instead of the individual. As the corrsepondence and papers connected with these subjects will be submitted to the Commission, his Excellency forbears to do more than present them for investigation.

There are persons, whose opinions are entitled to weight, who advocate levying a duty upon gold in the form of what is termed "an export duty;" but this plan is open to the grave objection of conducing to crime to evade such a duty as would maintain the present revenue,—would dispose people to carry gold about their persons, and expose themselves to the attack of the bushranger and murderer. Circumstanced as is this colony, the Lieut.-Governor strongly feels that whatever tends to invite the felon should be avoided.

On the tendency which an export duty on gold would give to smuggling, it does not seem necessary to dwell; long experience and general admission have overborne whatever theories might be set up.

But the Lieut.-Governor does not entertain the same strong views with reference to a modified export duty, combined with any other mode of raising a revenue. A very low export duty say of 1*s.* per ounce would assist the general revenue, and be too insignificant to invite crime or smuggling; to this point, his Excellency hopes the Commission will direct their attention.

Connected with this portion of the subject, is the grant of mining leases to individuals or companies. It requires but little reflection to determine that, unless a certain tenure of land is granted, capital will not be invested in uncertain speculation, and it is equally clear, that unless the aid of machinery is invoked, a large portion of our colonial wealth will remain unproductive; nor will the opposition, which the proposal has hitherto met, be considered reasonable, when it is remembered that the extent of auriferous lands seems incalculable, and therefore that the industry of the common miner need not in any way be interfered with. On this head his Excellency forbears making any suggestion; the matter is abstruse and complicated, and requires the knowledge which can only be obtained by personal investigation, evidence, and research, and his Excellency feels convinced that the ability of the gentlemen forming the Commission will devise a measure remunerative to the capitalist, beneficial to the commerce of the colony, and free from injustice or hardship to the miners.

Concurrently with the above subject, his Excellency invites the attention of the committee to the manner in which the law is at present administered. It would be an act of injustice to subject an officer to examination on accusations anonymously preferred; but if during the course of their visit to the gold fields any person or persons come forward and prefer open charges against a public officer, the Lieut.-Governor deems it within the province of the Commissiom to examine and inquire into them, for assuredly if it is unjust to compel an officer to defend himself on an anonymous charge, it is equally unjust to deprive the miner from personally complaining in a matter wherein he may feel himself aggrieved.

It is desirable that the present opportunity should be seized to determine whether the officers of the Gold Commission are more numerous than the publice service requires, or are overpaid;

Whether the number of officers resident on the gold fields is more numerous than circumstances justify;

Whether, generally speaking, the very large sum of money appropriated for the administration of law and collection of revenue is excessive, or can be in any curtailed or improved in its distribution.

These are some of the principal matters which require final adjudication and determination; but the Lieut.-Governor desires me to repeat that the scope of the Commission is unlimited, and his Excellency rejoices in the hope that he will be enabled to lay before the public the conclusions arrived at by gentlemen in a most important matter, who he believes generally to possess the confidence of the public.

(Signed) CHARLES HOTHAM.

W. C. Haines, Esq., M.L.C.,
Chairman of the Commission.

No. 5.

No. 5.

COPY of a DESPATCH from Governor Sir CHARLES HOTHAM to the Right Hon. Sir GEORGE GREY, Bart.

(No. 152.) Toorac, near Melbourne, November 22, 1854.
(Received February 10, 1855.)

SIR,

I HAVE the honour to forward for your information the usual returns from the Gold Fields, for the two months ending October 31, 1854.

I have, &c.
(Signed) CHARLES HOTHAM.

The Right Hon. Sir George Grey, Bart.
&c. &c. &c.

VICTORIA

Enclosure 1 in No. 5.

Encl. 1 in No. 5. GOLD RETURNS, &c., contained in the Lieutenant Governor's Despatch, No. 152, of date November 22.

September and October 1854.

No. 1.—Return of the number of Licences issued at the various Gold Fields of this Colony.

No. 2.—Return of Gold transmitted by Government Escort from the various workings.

No. 3.—Return of the amount received as Fees for Licences issued.

No. 4.—Return of the amount received as Fees for the Escort of Gold.

No. 5.—Return of Sales by tender of Government Gold.

No. 6.—Return of the amount received as Fees for the Custody of Gold and Cash.

No. 7.—Return of Gold exported.

No. 8.—Return of the Receipt and Delivery of Gold forwarded by the Government Escorts.

No. 9.—Return of the rates of Wages and Prices current on the various Gold Fields.

No. 10.—Return of the rates of Wages and Prices current in Melbourne.

No. 11.—Return of the Arrivals at and the Departures from this Colony by Sea.

No. 12.—Return of Vessels in Harbour Ports of Melbourne and Geelong.*

No. 13.—Return of Cases brought before the Circuit Court, held at Castlemaine, on the 9th October 1854.

No. 14.—Return of the Estimated Population on the various Gold Fields.

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* This Return being extremely voluminous, is not printed.

No. 1.

Department of Commissioners for the Gold Fields.

RETURN of the Number of Licences to dig and search for Gold, and to carry on the Business of Storekeepers, issued at the various Gold Fields of this Colony during the Months of September and October 1854.

District.	September.							October.						
	Miners' Licences.				Storekeepers' Licences.			Miners' Licences.				Storekeepers' Licences.		
	Number of Licences issued for 1 Month at 1*l.*	Number of Licences issued for 3 Months at 2*l.*	Number of Licences issued for 6 Months at 4*l.*	Number of Licences issued for 12 Months at 8*l.*	Number of Licences issued for 3 Months at 15*l.*	Number of Licences issued for 6 Months at 25*l.*	Number of Licences issued for 12 Months at 50*l.*	Number of Licences issued for 1 Month at 1*l.*	Number of Licences issued for 3 Months at 2*l.*	Number of Licences issued for 6 Months at 4*l.*	Number of Licences issued for 12 Months at 8*l.*	Number of Licences issued for 3 Months at 15*l.*	Number of Licences issued for 6 Months at 25*l.*	Number of Licences issued for 12 Months at 50*l.*
Castlemaine -	2,541	5,483	2	17	105	35	3	3,031	5,729	2	25	105	30	4
Sandhurst* -	935	2,840	3	12	13	4	- -	1,180	3,059	4	7	38	24	1
Ballarat -	1,196	4,082	1	2	51	25	3	1,543	3,708	2	3	76	18	1
Beechworth -	467	849	- -	6	3	3	2	596	1,056	- -	4	10	2	3
Total -	5,139	13,254	6	37	172	67	8	6,350	13,552	8	39	229	74	9

* Including Heathcote, which is now under the supervision of the Resident Commissioner of this district.

Office of the Chief Commissioner of Gold Fields,
Melbourne, November 20, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Field

No. 2.

RETURN of the QUANTITY of GOLD received at the Gold Offices, Melbourne and Geelong, by Government Escorts, from the various Gold Fields of this Colony during the Months of September and October 1854.

Date.	Government Gold.		Private Gold.				Total.		Grand Total.	
	Quantity.	Money Value at 4*l.* per Ounce.	Melbourne.		Geelong.					
			Quantity.	Value at 4*l.* per Ounce.	Quantity.	Value at 4*l.* per Ounce.	Quantity.	Value at 4*l.* per Ounce.	Quantity.	Value 4*l.* per Ounce.
CASTLEMAINE AND SANDHURST.										
			ozs. dwt.	£ *s.*	*ozs. dwt.*	£ *s.*	*ozs. dwt.*	£ *s.*	*ozs. dwt.*	£ *s.*
Sept. 1	- -	- -	14,516 5	58,065 0	350 10	1,402 0	14,866 15	59,467 0		
„ 8	- -	- -	18,459 10	73,838 0		—	18,459 10	73,838 0		
„ 15	- -	- -	22,453 1	89,812 4	522 10	2,090 0	22,975 11	91,902 4		
„ 22	- -	- -	21,526 15	86,107 0	—	—	21,526 15	86,107 0		
„ 29	- -	- -	26,365 0	105,460 0	616 0	2,464 0	26,981 0	107,924 0		
Oct. 6	- -	- -	26,668 5	106,673 0	664 0	2,656 0	27,332 5	109,329 0		
„ 13	- -	- -	27,408 11	109,634 4	656 10	2,626 0	28,065 1	112,260 4		
„ 20	- -	- -	26,046 10	104,186 0	81 0	324 0	26,127 10	104,510 0		
„ 27	- -	- -	24,678 1	98,712 4	—	—	24,678 1	98,712 4		
Total -	- -	- -	208,121 18	832,487 12	2,890 10	11,562 0	211,012 8	844,049 12	211,012 8	844,049 12
BALLARAT.										
Sept. 1	- -	- -	4,783 15	19,135 0	4,887 5	19,549 0	9,671 0	38,684 0		
„ 8	- -	- -	8,106 0	32,424 0	5,468 0	21,872 0	13,574 0	54,296 0		
„ 15	- -	- -	4,329 5	17,317 0	4,423 10	17,694 0	8,752 15	35,011 0		
„ 22	- -	- -	6,015 5	24,061 0	5,160 0	20,640 0	11,175 5	44,701 0		
„ 29	- -	- -	4,313 0	17,252 0	5,308 0	21,232 0	9,621 0	38,484 0		
Oct. 6	- -	- -	6,406 0	25,624 0	3,334 15	13,339 0	9,740 15	38,963 0		
„ 13	- -	- -	7,641 10	30,566 0	5,933 0	23,732 0	13,574 10	54,298 0		
„ 20	- -	- -	7,165 5	28,661 0	1,550 15	6,203 0	8,716 0	34,864 0		
„ 27	- -	- -	10,507 5	42,029 0	501 10	2,006 0	11,008 15	44,035 0		
Total -	- -	- -	59,267 5	237,069 0	36,566 15	146,267 0	95,834 0	383,336 0	95,834 0	383,336 0
BEECHWORTH.										
Sept. 11	- -	- -	3,957 10	15,830 0	—	—	3,957 10	15,830 0		
„ 25	- -	- -	3,768 0	15,072 0	—	—	3,768 0	15,072 0		
Oct. 9	- -	- -	5,535 0	22,140 0	—	—	5,535 0	22,140 0		
„ 23	- -	- -	4,575 10	18,302 0	—	—	4,575 10	18,302 0		
Total -	- -	- -	17,836 0	71,344 0	—	—	17,836 0	71,344 0	17,836 0	71,344 0
HEATHCOTE.										
Sep. 11	- -	- -	726 0	2,904 0	—	—	726 0	2,904 0		
„ 25	- -	- -	441 10	1,766 0	—	—	441 10	1,766 0		
Oct. 9	- -	- -	937 0	3,748 0	—	—	937 0	3,748 0		
„ 23	- -	- -	276 0	1,104 0	—	—	276 0	1,104 0		
Total -	- -	- -	2,380 10	9,522 0	—	—	2,380 10	9,522 0	2,380 10	9,522 0
GRAND TOTAL -			287,605 13	1,150,422 12	39,457 5	157,829 0	327,062 18	1,308,251 12	327,062 18	1,308,251 12

NOTE.—On and after September 29, the Gold from Avoca was forwarded viâ Castlemaine.

Office of the Chief Commissioner of Gold Fields,
Melbourne, November 20, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 3.

RETURN of the AMOUNT of FEES received at this Office, per Escort, during the Months of September and October 1854, being Payments on account of Licences issued on the various Gold Fields of this Colony.

Date.	Where issued.	Gold.	Value at 4*l.* per oz.	Cash.	Total Amount.
		ozs.	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
September -	Castlemaine, Sandhurst, &c. - -	- -	- - -	35,340 0 8	35,340 0 8
October -	Do. - -	- -	- - -	45,458 11 2	45,458 11 2
	Total -	- -	- - -	80,798 11 10	80,798 11 10

Office of Chief Commissioner of Gold Fields,
Melbourne, November 20, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 4.

RETURN of the AMOUNT of FEES received at the Gold Offices, Melbourne and Geelong, on private Gold and Cash, transmitted per Escort from the various Gold Fields of this Colony during the Months of September and October 1854.

Date.	District from which received.	Amount.
		£ s. d.
September -	Castlemaine, Sandhurst, &c. - - -	4,146 8 5
October -	Do. - - - - -	2,560 4 10
	Total - - -	£6,706 13 3

Office of the Chief Commissioner of Gold Fields, Melbourne, November 20, 1854.

W. H. WRIGHT, Chief Commissioner of Gold Fields.

No. 5.

RETURN of SALES by TENDER of GOVERNMENT GOLD, during the Months of September and October 1854,

Nil.

Office of the Chief Commissioner of Gold Fields, Melbourne, November 20, 1854.

W. H. WRIGHT, Chief Commissioner of Gold Fields

No. 6.

RETURN of the AMOUNT of FEES received during the Months of September and October 1854, on Gold and Cash deposited in the Gold Office, Melbourne, for a longer period than thirty days.

Date.	No. of Parcels.	Contents of Parcels.		Fees received.
		Gold.	Cash.	Amount.
		ozs.	£ s. d.	£ s. d.
September - - -	141	2,994	2,234 0 0	256 8 10
October - - - -	214	6,244	2,814 0 0	554 6 2
Total - - -	355	9,238	5,048 0 0	810 15 0

Office of the Chief Commissioner of Gold Fields, Melbourne, November 20, 1854.

W. H. WRIGHT, Chief Commissioner of Gold Fields.

No. 7.

RETURN of the AMOUNT of GOLD exported from this Colony during the Months of September and October 1854.

Port of Shipment.	September.	October.	Total.
	ozs. dwts. grs.	ozs. dwts. grs.	ozs. dwts. grs.
Melbourne - - -	173,280 12 4	82,217 9 0	255,498 1 4
Total - - -	173,280 12 4	82,217 9 0	255,498 1 4

Custom House, Melbourne, November 1, 1854.

HUGH C. E. CHILDERS.

VICTORIA.

No. 8.

MONTHLY RETURN of GOLD received on Private Account, September 1854.

	ozs.	dwts.
Balance on hand, 31st August 1854	24,254	6
Received from Mount Alexander	104,809	11
„ Ballarat	27,547	5
„ Beechworth	7,725	10
„ Heathcote	1,167	10
Total	165,504	2
Delivered to the Public	107,680	2
	57,824	2
Sent to Geelong	937	0
Balance	56,837	0

Office of Chief Commissioner of Gold Fields,
Melbourne, November 20, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

MONTHLY RETURN of GOLD received on Private Account, October 1854.

	ozs.	dwts.
Corrected balance on hand, 30th September 1854	54,319	5
Received from Mount Alexander	106,202	17
„ Ballarat	31,720	0
„ Beechworth	10,110	10
„ Heathcote	1,213	0
Total	203,565	12
Delivered to the Public	168,345	4
	35,220	8
Sent to Geelong	2,029	10
Balance	33,190	18

Office of Chief Commissioner of Gold Fields,
Melbourne, November 20, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 9.—Return showing the Prices, Wages, and Miscellaneous Charges current at the various Gold Fields of the Colony during the Month of October 1854.

Description.	Term or Quantity.	District of Castlemaine.						District of Bendigo.					District of Ballarat.					District of the Ovens.					District of McIvor.	
		Castlemaine.	Golden Point.	Fryer's Creek.	Maldon.	Hepburn.	Avoca.	Maryborough.	Kingower.	Central Bendigo.	Lower Bendigo.	Robinson Crusoe.	Eagle Hawk.	Spring Creek.	Creswick's Creek.	Smythe's Creek.	Scotchman's Hill.	Eureka.	Head Station.	Beechworth.	Reid's Creek.	Snake Valley.	Yackandanda.	Buckland.	Heathcote.	Waranga.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Butcher's Meat:																										
Beef	Per lb.	0 0 8½	0 0 8½	0 0 10	0 0 9	0 0 9	0 0 10	0 1 0	0 0 10	0 0 8	0 0 8	0 0 8	0 0 8	0 0 7	0 0 9½	0 0 11	0 0 9½	0 0 10	0 0 9	0 0 8	0 0 7	0 0 7	0 0 8	0 0 6	0 0 7	0 0 8
Mutton	"	0 0 8	0 0 7½	0 0 9	0 0 8	0 0 9	0 0 10	0 0 9	0 0 10	0 0 7	0 0 7	0 0 7	0 0 7	0 0 7	0 0 9½	0 0 9½	0 0 10	0 0 9½	0 0 8	0 0 8	0 0 7	0 0 7	0 0 8	0 0 9	0 0 7	0 0 8
Groceries:																										
Tea	"	0 2 6	0 2 6	0 2 6	0 3 0	0 3 6	0 2 6	0 3 0	0 3 3	0 2 9	0 3 0	0 2 9	0 3 0	0 3 0	0 3 0	0 2 9	0 3 6	0 2 6	0 2 6	0 3 0	0 3 0	0 2 6	0 3 6	0 3 0	0 2 6	0 3 0
Coffee	"	0 2 3	0 2 6	0 2 0	0 2 6	0 3 0	0 2 6	0 3 0	0 4 0	0 2 3	0 2 3	0 2 3	0 2 3	0 2 6	0 3 0	0 2 6	0 2 6	0 2 6	0 2 6	0 3 0	0 3 0	0 2 3	0 3 6	0 2 9	0 2 8	0 2 6
Sugar	"	0 0 8	0 0 8	0 0 7	0 0 9	0 1 0	0 1 0	0 1 0	0 1 6	0 0 8	0 0 8	0 0 9	0 0 9	0 0 10	0 0 9½	0 0 8	0 0 10	0 0 8	0 0 8	0 1 0	0 1 0	0 0 9	0 1 0	0 1 2	0 0 8½	0 1 0
Salt	"	0 0 9½	0 0 11½	0 0 10	0 1 0	0 1 0	0 1 0	0 1 0	0 1 6	0 0 8	0 0 7½	0 0 9	0 0 9	0 0 8	0 1 0	0 1 0	0 0 11	0 0 10	0 0 8	0 1 0	0 1 3	0 0 11	0 1 0	0 1 1½	0 0 10	0 1 0
Tobacco	"	0 6 3	0 6 9	0 6 0	0 6 0	0 7 9	0 7 0	0 7 3	0 7 6	0 7 0	0 7 0	0 7 0	0 7 0	0 7 0	0 7 0	0 7 0	0 7 0	0 6 0	0 7 0	0 7 0	0 7 0	0 7 0	0 7 6	0 7 0	0 6 3	0 6 0
Rice	"	0 1 0	0 1 0	0 1 0	0 1 0	0 1 6	0 1 6	0 1 6	0 1 6	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 0 11	0 0 9	0 1 0	0 1 3	0 1 3	0 1 6	0 1 3	0 1 0	—	0 1 9	0 1 0	0 1 1½
Arrowroot	"	0 3 3	0 4 0	0 1 6	0 3 0	0 3 6	0 5 0	0 3 0	0 2 6	0 1 1½	0 1 1½	0 1 1½	0 1 1½	0 1 3	0 3 3	0 3 6	0 3 0	0 3 0	0 2 6	0 4 0	0 4 0	0 2 6	0 4 0	0 4 3	0 4 0	0 3 0
Chandler's Stores:																										
Soap	"	0 1 0	0 1 0	0 1 0	0 1 0	0 1 6	0 1 3	0 1 1½	0 1 6	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 0 11	0 0 10½	0 0 10	0 1 0	0 1 6	0 1 0	0 2 0	0 1 1	0 1 0	0 1 0
Candles	"	0 1 3	0 1 3	0 1 3	0 1 0	0 1 6	0 1 6	0 1 6	0 2 3	0 2 0	0 2 0	0 2 0	0 2 0	0 2 3	0 2 9	0 3 3	0 3 0	0 3 0	0 3 0	0 3 0	0 3 6	0 3 0	0 4 0	0 4 3	0 3 0	0 3 6
Bread Stuffs:																										
Bread	Pr.4lb.loaf	0 2 6	0 2 6	0 2 6	0 3 0	0 2 6	0 4 0	0 4 6	0 4 6	0 3 0	0 3 0	0 3 0	0 3 0	0 3 0	0 3 6	0 3 6	0 2 9	0 3 0	0 3 3	0 4 0	0 4 0	0 4 0	0 4 0	0 4 6	0 3 6	0 4 0
Flour	Per lb.	0 0 8½	0 0 9	0 0 10	0 0 10	0 0 10	0 1 3	0 1 2	0 1 0	0 0 8	0 0 8	0 0 8	0 0 8	0 0 9	0 0 10	0 0 10	0 0 11	0 0 8	0 0 8	0 0 10	0 1 0	0 0 10	0 1 0	0 1 3	0 0 10	0 0 10
Oatmeal	"	0 0 11	0 0 10½	0 1 3	0 1 0	0 1 1½	0 1 6	0 1 5	0 0 10	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 0 10½	0 1 0	0 1 0	0 0 10½	0 0 10	0 1 0	0 1 6	0 1 0	0 1 3	0 1 0	0 1 0	0 1 0
Dairy Produce:																										
Milk	Per quart	0 2 0	0 2 0	0 1 6	0 2 0	0 3 0	0 2 0	0 2 0	0 2 3	0 2 0	0 2 0	0 2 0	0 2 0	0 2 0	0 2 9	0 2 0	0 2 6	0 3 0	0 2 9	0 2 0	0 2 0	0 2 0	0 2 0	0 3 0	0 1 0	0 2 0
Butter	Per lb.	0 3 3	0 3 6	0 3 0	0 3 6	0 4 6	0 3 6	0 4 6	0 5 3	0 3 9	0 3 9	0 4 0	0 4 0	0 4 0	0 3 3	0 4 0	0 3 3	0 3 6	0 3 3	0 4 0	0 4 3	0 3 6	0 4 0	0 4 0	0 3 6	0 3 0
Cheese	"	0 2 3	0 2 6	0 2 6	0 2 6	0 2 9	0 2 6	0 3 0	0 3 0	0 2 6	0 2 6	0 2 9	0 2 9	0 2 9	0 2 6	0 2 6	0 3 0	0 2 3	0 2 6	0 1 6	0 2 0	0 2 0	0 2 6	0 2 6	0 2 0	0 2 0
Hardware:																										
Spades	Each	0 7 9	0 7 9	0 10 0	0 6 0	0 9 6	0 11 0	0 10 0	0 9 0	0 9 0	0 9 0	0 9 0	0 9 0	0 10 0	0 8 6	0 10 6	0 11 0	0 8 0	0 8 0	0 5 0	0 10 0	0 9 3	0 11 0	0 10 0	0 10 0	0 10 0
Shovels	"	0 9 0	0 9 6	0 10 0	0 6 0	0 10 0	0 12 0	0 11 6	0 8 9	0 9 6	0 9 6	0 9 6	0 9 6	0 8 0	0 9 6	0 11 0	0 9 0	0 8 0	0 8 0	0 12 6	0 11 0	0 11 3	0 13 6	0 10 0	0 10 0	0 10 0
Picks	"	0 7 0	0 7 6	0 8 0	0 6 0	0 11 9	0 12 6	0 10 0	0 11 0	0 10 0	0 10 0	0 10 0	0 10 0	0 10 0	0 9 0	0 11 0	0 9 0	0 7 0	0 9 6	0 10 0	0 10 0	0 9 9	0 8 6	0 13 6	0 10 0	0 10 0
Buckets	"	0 8 6	0 9 6	0 10 0	0 7 6	0 6 9	0 11 0	0 10 3	0 11 6	0 9 3	0 9 3	0 10 3	0 10 3	0 8 0	0 11 6	0 13 6	0 12 0	0 10 0	0 10 0	0 9 0	0 9 0	0 9 0	0 6 0	0 12 0	0 10 0	0 10 0
Miscellaneous:																										
Blankets	Per pair	1 7 6	1 10 0	1 5 0	1 7 6	1 5 0	1 15 0	2 5 0	1 15 0	1 7 6	1 7 6	1 7 6	1 7 6	1 7 6	1 10 0	1 15 0	1 5 0	1 7 6	1 5 0	1 15 0	2 0 0	1 10 0	2 0 0	2 10 0	1 15 0	1 7 6
Boots	"	1 7 6	1 0 0	1 10 0	1 5 0	1 10 0	1 10 0	2 15 0	1 15 0	2 10 0	2 10 0	2 10 0	2 10 0	2 10 0	1 10 0	1 10 0	1 10 0	1 0 0	1 5 0	2 15 0	1 12 6	1 2 6	1 10 0	1 10 0	1 15 0	1 11 0
Potatoes	Per lb.	0 0 9½	0 0 8	0 0 8	0 0 11	0 1 2	0 1 0	0 1 9	0 1 6	0 0 11	0 0 11	0 0 11	0 0 11	0 0 11	0 0 9½	0 0 11	0 0 9½	0 0 9	0 0 9½	0 1 0	0 1 0	0 1 0	0 1 0	0 1 5	0 0 9	0 0 9
Oats	Per bush	1 3 6	1 3 6	1 5 0	1 10 0	2 0 0	1 12 0	2 5 0	1 10 0	1 5 0	1 5 0	1 5 0	1 5 0	1 5 0	1 7 6	1 10 0	1 2 6	1 12 6	1 5 0	1 10 0	2 0 0	1 8 6	1 16 0	2 10 0	1 5 0	1 5 0
Bran	"	0 12 6	0 13 0	0 15 0	0 15 0	0 14 0	0 18 6	1 5 0	1 5 0	0 15 0	0 15 0	0 15 0	0 15 0	0 15 0	0 18 9	0 17 6	0 13 9	0 17 6	0 17 6	0 15 0	0 12 0	0 14 0	0 15 6	1 5 0	0 15 0	0 19 0
Hay	Per ton	40 0 0	57 10 0	40 0 0	—	65 0 0	70 0 0	77 10 0	65 0 0	55 0 0	55 0 0	55 0 0	55 0 0	60 0 0	55 0 0	42 10 0	50 0 0	43 10 0	40 0 0	75 0 0	—	60 0 0	70 0 0	—	—	—
Labouring Men:																										
Sawyers	Per diem	1 2 6	—	—	—	—	2 0 0	1 10 0	2 10 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 15 0	1 10 0	1 7 6	1 5 0	1 5 0	—	—	—	—	—	—	—
Carpenters	"	1 5 0	1 10 0	2 0 0	—	—	1 10 0	1 10 0	1 0 0	1 7 6	1 7 6	1 7 6	1 7 6	1 7 6	1 15 0	1 7 6	1 10 0	1 5 0	1 5 0	1 10 0	1 15 0	1 15 0	1 10 0	—	—	—
Splitters	"	1 0 0	1 5 0	—	—	—	—	1 5 0	1 10 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 5 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 15 0	—	1 10 0	—	—	—
Bricklayers	"	1 0 0	—	2 0 0	—	—	—	1 5 0	1 10 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 17 6	1 0 0	1 2 6	1 2 6	1 0 0	—	—	—	—	—	—	—
Tent-makers	"	1 15 0	—	2 0 0	—	—	—	1 5 0	—	0 15 0	0 15 0	0 15 0	0 15 0	0 15 0	1 5 0	1 0 0	1 2 6	0 17 6	1 0 0	—	—	—	—	—	—	—
Painters	"	1 0 0	—	1 10 0	—	—	—	—	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 5 0	1 1 0	1 0 0	1 5 0	1 5 0	—	—	—	—	—	—	—
Quarrymen	"	—	1 5 0	—	—	—	—	—	—	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	—	—	0 18 0	1 0 0	1 0 0	—	—	—	—	—	—	—
Blacksmiths	"	1 5 0	1 10 0	2 10 0	—	—	1 15 0	1 10 0	1 0 0	1 7 6	1 7 6	1 7 6	1 7 6	1 7 6	1 15 0	1 7 6	1 10 0	1 7 6	1 10 0	1 10 0	—	1 10 0	1 10 0	—	—	—
Day Labourers	"	0 10 0	0 15 0	0 16 6	0 15 0	—	0 15 0	0 12 6	0 10 0	0 12 6	0 12 6	0 12 6	0 12 6	0 12 6	0 17 6	0 17 6	0 13 6	0 15 0	0 12 0	1 0 0	1 0 0	1 0 0	1 5 0	1 0 0	0 9 6	0 17 6
Carters	"	0 12 0	0 15 0	1 0 0	0 18 0	—	0 15 0	0 17 6	0 12 6	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0	0 17 6	0 18 0	0 19 0	0 14 6	1 0 0	1 0 0	1 0 0	—	1 0 0	—	—
Shepherds and Hut-keepers	Pr. annum	50 0 0	—	60 0 0	—	40 0 0	70 0 0	50 0 0	70 0 0	—	—	—	—	—	50 0 0	75 0 0	55 0 0	65 0 0	55 0 0	—	—	—	—	—	—	—
Cartage:																										
Horse Teams	Per diem	—	2 10 0	2 10 0	—	—	4 0 0	4 0 0	3 0 0	2 10 0	2 10 0	2 10 0	2 10 0	3 0 0	3 0 0	3 15 0	4 10 0	4 0 0	4 0 0	3 0 0	4 0 0	5 0 0	4 0 0	—	—	—
Bullock Teams	"	—	2 5 0	1 15 0	—	—	3 0 0	3 10 0	2 0 0	2 10 0	2 10 0	2 10 0	2 10 0	2 10 0	4 10 0	4 10 0	4 10 0	4 10 0	4 10 0	5 0 0	4 0 0	5 0 0	4 0 0	—	—	—
Carriage from Melbourne	Per ton	15 0 0	20 0 0	20 0 0	21 0 0	25 0 0	40 0 0	40 0 0	45 0 0	25 0 0	25 0 0	25 0 0	25 0 0	25 0 0	22 10 0	30 0 0	22 10 0	27 10 0	22 10 0	35 0 0	40 0 0	30 0 0	45 0 0	47 10 0	20 0 0	21 0 0

Immigration Office, Melbourne, November 9, 1854.

Edward Bell, Immigration Agent.

VICTORIA.

No. 10.

RETURN showing the WAGES, PRICES, and MISCELLANEOUS CHARGES current in MELBOURNE, during the Month of October 1854.

WAGES.

Occupation.	How paid.	Rate. From £	s.	d.	Rate. To £	s.	d.	Remarks.
Bakers	per week	2	10	0	3	0	0	and found.
Blacksmiths	"	4	0	0	5	10	0	
Do. foundries	"	4	10	0	6	0	0	
Boatmen	per diem	0	10	0	0	12	0	
Boiler-makers	" week	5	0	0	6	0	0	
Bootmakers	" piece		—			—		
Do.	Wellingtons	1	4	0	1	10	0	
Do.	short boots		—			—		
Do.	per diem	0	10	0	0	12	0	
Brassfounders	" week	4	10	0	6	0	0	
Bricklayers	" diem	1	0	0	1	5	0	
Brickmakers	" 1000	1	12	0	1	18	0	
Bullock-drivers (on farms)	" week	1	15	0	2	0	0	and found.
Do. (on the roads)	"	3	0	0	3	10	0	"
Butchers	"	2	10	0	3	0	0	"
Cabinetmakers	"	4	10	0	6	0	0	
Carpenters	per diem	1	2	6	1	5	0	
Do. (job work)	"	1	5	0	1	10	0	
Coachmakers	per week	4	0	0	6	0	0	
Coach-smiths	"	4	10	0	6	0	0	
Compositors	per 1000	0	2	6		—		
Cooks (male)	" week	2	10	0	3	10	0	and found.
Coopers	"	3	10	0	4	0	0	
Curriers	"	3	0	0	4	10	0	
Engineers	"	6	0	0	10	0	0	
Firemen (steamers)	per month	10	0	0	12	0	0	and found.
Fitters (iron)	" week	4	10	0	6	0	0	
Gardeners	" annum	80	0	0	100	0	0	"
Glaziers	" diem	0	12	0	0	15	0	
Grooms	" week	1	0	0	1	5	0	"
Gunsmiths	"	3	10	0	4	10	0	
Harness-makers	"	4	0	0	5	10	0	
House servants	per annum		—			—		"
Do. (male)	"	55	0	0	65	0	0	"
Do. (female)	"	25	0	0	30	0	0	"
Do. (girls)	"	18	0	0	25	0	0	"
Do. (boys)	"	18	0	0	28	0	0	"
Hut-keepers	"	30	0	0	40	0	0	"
Laundresses	"	35	0	0	40	0	0	"
Lightermen	per week	2	5	0	2	10	0	"
Masons	" diem	1	0	0	1	5	0	
Messengers	" week	1	5	0	1	10	0	with quarters, &c.
Millers	"	5	0	0	6	6	0	
Moulders	"	5	0	0	6	6	0	
Needlewomen	"	0	15	0	0	17	0	and found.
Ostlers (at hotels)	"	1	0	0	1	15	0	"
Overseers (sheep)	per annum	100	0	0	150	0	0	"
Do. (farm)	"	100	0	0	150	0	0	
Painters	per diem	0	15	0	0	18	0	
Pastrycooks	" week	2	10	0	3	10	0	"
Plasterers	" diem	0	15	0	1	0	0	
Ploughmen	" annum	70	0	0	80	0	0	"
Plumbers	" week	4	10	0	5	10	0	
Porters	"	1	0	0	2	0	0	"
Printers (pressmen)	"	6	0	0	7	0	0	
Quarrymen	per diem	0	15	0	0	18	0	
Reapers	" acre		—			—		None required at this season.
Saddlers	" week	3	10	0	5	5	0	
Sailmakers	"	4	10	0	5	0	0	
Sailors (England)	the trip	25	0	0	32	0	0	and found.
Do. (coastwise)	per month	5	10	0	6	0	0	"
Salesmen	" annum	180	0	0	300	0	0	"
Sawyers	" diem	0	16	0	2	0	0	

Occupation.	How paid.	Rate. From £	s.	d.	Rate. To £	s.	d.	Remarks.
Seamen (steamers)	per month	7	0	0	9	0	0	and found.
Shearers (good)	„ 100	1	0	0	—			
Shepherds	„ annum	40	0	0	55	0	0	„
Shinglers	„ yard	0	16	0	0	18	0	
Ship joiners	„ week	4	10	0	6	0	0	
Shipwrights	„	4	10	0	6	0	0	
Slaters	per yard	0	15	0	0	18	0	
Stock-keepers	„ annum	60	0	0	85	0	0	and found.
Storemen	„ week	3	0	0	3	10	0	
Tailors (journeymen)	„ piece	—			—			
Do. (trowsers)	„ pair	0	12	0	0	15	0	
Do. (dress coats)	each	1	16	0	2	5	0	
Do. (shooting coats)	„	1	5	0	1	10	0	
Do. (waistcoats)	„	0	10	0	0	12	0	
Tanners	per week	4	0	0	5	0	0	
Tin-plate workers	„	3	10	0	5	0	0	
Turners	„	3	10	0	5	10	0	
Unskilled labourers	„	3	0	0	3	10	0	and found.
Do. do.	per diem	0	10	0	0	12	0	
Do. (on board ships)	„	0	10	0	0	12	0	
Upholsterers	„	0	10	0	0	15	0	
Waiters (at hotels)	per week	1	0	0	1	10	0	and found.
Warehousemen	„	4	0	0	5	5	0	
Watchmakers	„	4	10	0	6	0	0	
Wharfingers (labourers)	„	2	15	0	4	0	0	
Wheelwrights	„	4	10	0	6	10	0	

PRICE CURRENT.

Articles.	Quantity.	Rate. From £	s.	d.	Rate. To £	s.	d.	Remarks.
Building Materials.								
Bricks	per 1000	6	10	0	7	0	0	colonial.
Lime	„ bag	0	5	6	0	6	6	
Hardwood scantling (5 × 3)	„ 100 ft.	1	5	0	—			lineal.
Stringy bark (5 × 3)	„	1	7	0	—			„
Sydney cedar	per foot	0	0	7½	0	0	8	superficial.
Red deals (9 × 3)	„	0	0	10	0	0	11	lineal.
Do. (11 × 3)	„	0	1	0	0	1	2	„
Shingles (14 inch)	per 1000	1	10	0	—			
Slates (Duchess)	„	20	0	0	22	0	0	
Laths (3 feet)	„	1	5	0	1	8	0	
Clothing.								
Men's stout shoes	per pair	0	7	6	0	10	0	
Women's do.	„	0	5	6	0	7	6	
Wellington boots (colonial)	„	2	0	0	4	0	0	
Do. (imported)	„	0	18	0	1	10	0	
Inside cotton shirts	each	0	3	0	0	3	6	
Flannel do.	„	0	4	0	0	6	0	
Regatta do.	„	0	4	6	0	5	0	
Check do.	„	0	2	0	0	3	6	
Moleskin trowsers	per pair	0	3	6	0	6	6	
Fustian do.	„	0	4	0	0	5	6	
Duck do.	„	0	3	0	0	4	6	
Cloth, according to quality	per yard	0	5	0	1	0	0	
Waistcoats (cloth)	each	0	7	6	0	12	6	
Do. (fancy)	„	0	7	6	0	15	0	
Coats (superior cloth)	„	3	15	0	6	6	0	
Do. (shepherds')	„	1	15	0	2	0	0	
Handkerchiefs (cotton)	„	0	0	6	0	1	0	
Do. (silk)	„	0	2	0	0	4	6	
Prints for gowns	per yard	0	0	6	0	10	0½	
Cotton socks	per pair	0	0	6	0	1	5	
Do. stockings	„	0	1	3	0	2	0	
Worsted do.	„	0	2	0	0	2	3	
Blankets	„	0	15	0	0	18	0	
Rugs (woollen)	each	1	0	0	0	5	0	railway.
Mattresses (hair)	„	2	0	0	4	10	0	
Sheeting (calico)	per yard	0	0	9	0	1	8	

VICTORIA.

Articles.	Quantity.	Rate. From £	s.	d.	Rate. To £	s.	d.	Remarks.
Forage.								
Hay	per ton	18	0	0	19	0	0	
Oats	per bushel	0	9	6	0	10	6	
Bran	„	0	4	6		—		
Straw	per ton	8	0	0	10	0	0	
Maize	per bushel	0	12	6		—		
Fuel.								
Wood	per horse load	1	10	0	1	15	0	
Do.	„ bullock ld.	2	0	0	2	5	0	
Coals (English)	„ ton	3	10	0		—		
Do. (N. S. W.)	„ „		—			—		
Provisions.								
Baker's:								
Bread	per 4lb. loaf	0	1	6		—		
Biscuit	per lb.	0	1	6	0	1	8	
Flour	per ton	33	0	0		—		
Butcher's:								
Beef	per lb.	0	0	7	0	0	8	
Mutton	„	0	0	7	0	0	8	
Veal	„	0	0	8	0	1	0	
Pork	„	0	1	4	0	1	6	
Sausages (beef)	„	0	0	8		—		
Do. (pork)	„	0	1	6		—		
Confectionery:								
Soda water	per dozen	0	4	0		—		
Lemonade	„	0	4	0		—		
Ginger beer	„	0	4	0		—		
Grocery:								
Tea (family)	per lb.	0	2	0	0	3	6	
Do. (ration)	„	0	2	0		—		
Sugar (family)	„	0	0	3	0	0	6½	
Do. (ration)	„	0	0	3	0	0	3½	
Do. (loaf)	„	0	0	6½		—		
Coffee	„	0	1	6		—		
Rice	„	0	0	6	0	0	8	
Cheese (English)	„	0	1	8	0	2	0	
Do. (Colonial)	„	0	1	0	0	1	6	
Bacon	„	0	1	6		—		
Salt	„	0	0	2	0	0	2½	
Do.	per cwt.	0	16	0	0	18	0	
Pickles	per dozen	0	18	0	1	10	0	
Soap	per lb.	0	0	5	0	0	6	
Candles (tallow)	„	0	0	10	0	1	0	
Do. (sperm.)	„	0	1	10	0	2	0	
Butter (fresh)	„	0	3	6	0	4	0	
Do. (salt)	„	0	2	3	0	2	9	
Market Produce:								
Eggs	per dozen	0	4	0	0	6	0	
Fowls	per couple	0	18	0	1	0	0	
Ducks	„	1	2	6	1	4	0	
Potatoes (new)	per lb.	0	0	9		—		
Do. (old)	per cwt.	2	4	0		—		
Cabbages	each	0	0	6	0	1	3	
Cauliflowers	„	0	0	9	0	1	6	
Turnips	per bunch	0	0	6		—		
Carrots	„	0	0	6		—		
Lettuces	each	0	0	3	0	0	4	
Peas	per quart	0	0	9		—		
Stock.								
Horses, heavy draft	each	80	0	0	125	0	0	
Do. light	„	50	0	0	80	0	0	
Do. good saddle	„	45	0	0	80	0	0	
Fat Cattle	„	12	0	0	16	0	0	
Working Bullocks	per pair	20	0	0	30	0	0	
Fat Wethers	each	0	18	0	1	5	0	
Store Sheep	„	0	10	0	0	12	0	

Articles.	Quantity.	Rate. From	Rate. To	Remarks.
		£ s. d.	£ s. d.	
Sundries.				
Bullock Drays	each	30 0 0	—	
Horse do.	"	25 0 0	30 0 0	
Spring Carts	"	35 0 0	40 0 0	
Dray Harness	the set	15 0 0	28 0 0	
Saddles (English)	each	4 0 0	5 10 0	
Do. (Colonial)	"	7 0 0	10 0 0	
Tobacco.				
Negrohead (in bond)	per lb.	0 1 6	0 2 0	
Cavendish do.	"	0 1 6	0 2 0	
Colonial do.	"	—	—	
Water	the load	0 6 0	—	
Wines and Spirits.				
Port	per dozen	1 5 0	2 2 0	
Sherry	"	1 5 0	2 5 0	
Brandy	"	2 0 0	2 15 0	
Gin (English)	the case	2 10 0	—	
Whiskey	per gallon	0 17 0	—	
Rum	"	0 12 6	0 15 0	
Porter (English)	per hogshead	7 0 0	—	
Do. do.	per dozen	0 15 0	—	
Ale (English)	per hogshead	10 10 0	—	
Do. do.	per dozen	0 18 0	—	

MISCELLANEOUS CHARGES.

Description.	Term or Quantity.	Rate. From	Rate. To	Remarks.
		£ s. d.	£ s. d.	
Advertisements	per inch	0 5 0	—	
Cartage.				
In town	per diem	1 0 0	1 15 0	
Do.	per load	0 7 6	0 15 0	
To the Gold Fields :				
Mount Alexander	per ton	16 0 0	24 0 0	
Bendigo	"	20 0 0	24 0 0	
Ballarat	"	20 0 0	24 0 0	
Ovens	"	30 0 0	50 0 0	
McIvor	"	16 0 0	25 0 0	
Hotel Charges.				
Bed and Board	per week	3 0 0	5 0 0	
Lighterage.				
From the Bay	per ton	0 10 0	0 12 6	
Livery Stables.				
Keep of a Horse	per diem	0 15 0	—	
Do. do.	per week	5 5 0	—	
Hire of a Horse	per diem	2 0 0	—	
Do. Horse and Gig	"	3 0 0	3 10 0	
Do. Carriage and Pair	"	8 0 0	10 0 0	
Rents.				
Cottages, two rooms	per week	1 10 0	2 0 0	
Do. four rooms	"	3 0 0	4 0 0	
Houses, two storied, five and six rooms	per annum	300 0 0	—	
Shoeing a Horse	the set	0 15 0	—	
Towage, River	per ton	0 2 0	0 3 6	
Washing	per dozen	0 6 0	0 7 6	
Do.	per diem	0 5 6	0 6 0	and found.

Immigration Office, Melbourne,
November 1854.

EDWARD BELL,
Immigration Agent.

No. 11.

RETURN showing the Number of PERSONS who have ARRIVED in the Colony of VICTORIA by Sea during the Months of September and October 1854.

SEPTEMBER.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total from neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	541	111	55	3	190	66	20	5	383	115	46	6	8	1	2	–	1,122	293	123	14	2,769	777	474	103	720	48	42	4	4,611	1,118	639	121	6,489
Geelong -	7	1	–	–	–	–	–	–	55	19	13	1	3	1	–	–	65	21	13	1	100	154	92	21	–	–	–	–	165	175	105	22	467
Other Ports	–	–	–	–	–	–	–	–	14	4	3	–	–	–	–	–	14	4	3	–	266	338	172	27	–	–	–	–	280	342	175	27	824
Total -	548	112	55	3	190	66	20	5	452	138	62	7	11	2	2	–	1,201	318	139	15	3,135	1,269	738	151	720	48	42	4	5,056	1,635	919	170	7,780

OCTOBER.

Port of Arrival.	New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total from neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	568	114	48	4	221	92	70	3	451	102	41	6	14	12	9	–	1,254	320	168	13	2,727	1,189	805	170	484	61	87	3	4,465	1,570	1,060	186	7,281
Geelong -	10	1	5	–	–	–	–	–	74	12	4	–	–	–	–	–	84	13	9	–	119	225	78	12	–	–	–	–	203	238	87	12	540
Other Ports	2	1	–	–	6	2	–	–	89	11	5	2	–	–	–	–	97	14	5	2	122	149	120	23	–	–	–	–	219	163	125	25	532
Total -	580	116	53	4	227	94	70	3	614	125	50	8	14	12	9	–	1,435	347	182	15	2,968	1,563	1,003	205	484	61	87	3	4,887	1,971	1,272	223	8,353

Immigration Office, Melbourne,
November 6, 1854.

EDWARD BELL,
Immigration Agent.

No. 11.—*Continued.*

RETURN showing the NUMBER of PERSONS who have DEPARTED from the Colony of VICTORIA by Sea during the Months of September 1854.

SEPTEMBER.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total from neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	958	179	69	8	280	75	44	3	626	104	56	2	67	18	8	–	1,931	376	177	13	122	19	15	1	86	4	1	1	2,139	399	193	15	2,746
Geelong -	29	9	3	1	–	–	–	–	19	9	8	–	–	–	–	–	48	18	11	1	–	–	–	–	–	–	–	–	48	18	11	1	78
Other Ports	–	–	–	–	–	–	–	–	10	2	–	–	–	–	–	–	10	2	–	–	–	–	–	–	–	–	–	–	10	2	–	–	12
Total -	987	188	72	9	280	75	44	3	655	115	64	2	67	18	8	–	1,989	396	188	14	122	19	15	1	86	4	1	1	2,197	419	204	16	2,836

OCTOBER.

Port of Departure.	New South Wales. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total from neighbouring Colonies. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 and 14 years.	Infants under 1 year.	Total Souls.
Melbourne -	1,094	125	46	4	328	86	59	4	376	93	64	6	26	5	2	–	1,824	309	171	14	208	53	44	13	111	9	9	–	2,143	371	224	27	2,765
Geelong -	23	3	3	–	–	–	–	–	24	13	7	–	–	–	–	–	47	16	10	–	9	1	1	–	–	–	–	–	56	17	11	–	84
Other Ports	7	1	6	1	2	1	1	–	13	2	–	–	–	–	–	–	22	4	7	1	–	–	–	–	–	–	–	–	22	4	7	1	34
Total -	1,124	129	55	5	330	87	60	4	413	103	71	6	26	5	2	–	1,893	329	188	15	217	54	45	13	111	9.	9	–	2,221	392	242	28	2,883

Immigration Office, Melbourne,
November 6, 1854.

EDWARD BELL,
Immigration Agent.

No. 12.

LIST of VESSELS lying in Hobson's Bay on the 1st day of November, 1854.

(This Return being extremely voluminous is not printed.)

No. 13.

A RETURN of the DISPOSAL of SIXTY-SEVEN PERSONS brought before the Criminal Circuit Court, Castlemaine, in the Colony of Victoria, for Trial, October 9, 1854.

Offence.	Convicted.	Acquitted.	Discharged from absence of Witnesses.	Remanded to next Sessions.	Total.
Murder	-	-	-	3	3
Manslaughter	3	1	-	-	4
Shooting at, or wounding with intent to do grievous bodily harm	2	1	-	-	3
Robbery in company	3	3	-	3	9
Assault in company with intent to rob	1	-	-	-	1
Assault with intent to rob	1	-	-	-	1
Stealing in a dwelling house to the value of 5*l.*	11	3	-	1	15
Stealing from the Person	-	1	-	1	2
Horse stealing and receiving, &c.	7	1	-	1	9
Stealing auriferous soil	3	3	-	1	7
Larceny	2	-	1	1	4
Sheep stealing	1	-	-	-	1
Assaulting a constable in the execution of his duty	2	-	-	-	2
Maliciously wounding	-	1	-	-	1
Inflicting actual bodily harm	2	-	-	1	3
Exhibiting as his own a gold licence belonging to another	1	-	-	-	1
Perjury	1	-	-	-	1
Total	40	14	1	12	67

SENTENCES.

5 years on the roads; the first two in irons	1
10 do.	5
9 do.	4
8 do.	1
7 do.	3
6 do.	4
5 do.	5
4 do.	1
3 do.	4
2 do.	1
20 months do.	1
12 do.	1
9 do.	1
6 do.	1
2 years imprisonment	1
6 months do.	1
6 weeks do.	2
1 do. do.	1
Fined 30*l.* and to be imprisoned till paid	1
Do. 10*l.* do. do.	1
	40

HENRY F. GRUNER, Crown Solicitor.

No. 14.

RETURN of the estimated POPULATION on the various Gold Fields of this Colony on October 28, 1854.

District.	Men.	Women.	Children.	Total.
Castlemaine - - - -	22,263	4,249	5,138	31,650
Sandhurst* - - - -	16,050	3,915	4,005	23,970
Ballarat - - - -	18,470	3,600	3,400	25,470
Beechworth - - - -	3,385	392	613	4,390
Total - -	60,168	12,156	13,156	84,480

* Including Heathcote, which is now under the supervision of the Resident Commissioner of this District.

Office of the Chief Commissioner of Gold Fields,
Melbourne, November 20, 1854.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 6.

No. 6.

COPY of a DESPATCH from Governor Sir CHARLES HOTHAM to the Right Hon. Sir GEORGE GREY, Bart.

(No. 153.) Toorac, near Melbourne, November 23, 1854.
(Received February 12, 1855.)

SIR,

I DO myself the honour to enclose for your information the Financial Minute of the Session, which I caused to be communicated to the Legislative Council by message this day.

I have, &c.
(Signed) CHARLES HOTHAM.

Right Hon. Sir George Grey,
&c. &c. &c.

Enclosure in No. 6.

ESTIMATES, 1855.

Encl. in No. 6.

1. The Lieutenant Governor having, in a separate minute, offered some observations on the supplementary estimates for 1854, now invites the attention of the Legislative Council to the consideration of the accompanying terms showing the estimated revenue and expenditure for the year 1855.

2. It will be seen by the abstract of the probable income and expenditure that the former, inclusive of an estimated balance of 380,433*l.* 2*s.* 5*d.* from 1854, is taken at only - - - - - - 3,015,683 2 5
While the latter is estimated at - - - 4,801,292 13 1

Showing a deficit of - - - - £1,785,609 10 8

Of this large expenditure the probable cost of public works amounts to - - - - 1,860,835 15 0
While the unappropriated moiety of the land fund is assumed to be - - - - 670,000 0 0

Leaving a deficit under this head of - - £1,190,835 15 0

The estimated expenditure for current purposes is taken at 2,340,456 18 1
And the ordinary revenue at - - 1,965,250 0 0

Showing a deficiency of - - - - 375,206 18 1
To which must be added cash credits to be repaid to the banks - - - - £400,000
Loan from the corporation - - 200,000
600,000 0 0

£975,206 18 1

So that, irrespective of the public works to be executed in 1855, there is a deficiency in the revenue as contrasted with the estimated requirements, of 975,206*l.* 18*s.* 1*d.*

3. The Lieutenant Governor is of opinion that as a principle of prudent legislation the ordinary revenue should be made to meet the ordinary expenditure of the colony, leaving public works of a reproductive character to be carried out by borrowed capital, the gradual repayment of which would be provided for by the revenue derived from the works themselves, when completed, or by the enhanced value of property consequent thereupon.

VICTORIA.

4. To deal first with the ordinary revenue: the Lieutenant Governor, with a view to increased receipts and a reduced expenditure, as well as to the introduction of a better system of management, has already nominated Boards of Inquiry, consisting of gentlemen of acknowledged experience and ability, to examine into and report upon the Police and Civil Commissariat Departments, and the whole question connected with the Gold Fields and the mode of deriving a revenue therefrom; whilst a Royal Commission has also issued to gentlemen of high standing, and representing, he believes, all shades of opinion, to enter fully into the consideration of the subject of the waste lands of the Crown, and of the position of their present occupants, with a view to the definite settlement of the claims and privileges of all parties concerned in the same.

5. The Lieutenant Governor feels confident that the result of the inquiries and deliberations of these boards, as well as of others of a like character, which he proposes to nominate for the purpose of thoroughly investigating other departments of the public service, cannot fail to have a very beneficial effect on the financial position of the colony; but, in the meantime, it is necessary to make provision to the extent of at least 800,000*l.* to meet the unavoidable expenditure for the year 1855.

6. The Lieutenant Governor, aware of his own local inexperience, does not hesitate, under these circumstances, in seeking the advice and assistance of the Council, who must be thoroughly acquainted with the wants and resources of the colony, before introducing for their consideration and adoption any general scheme of increased taxation by which that object can be effected.

7. The Lieutenant Governor, after having given the subject his most careful consideration, has arrived at the conclusion that, however desirable and successful direct taxation may have proved in older countries, neither a property nor an income tax could be introduced into so young a colony as Victoria without involving great expense and difficulty in collecting it; and that by increased duties on imports alone can the additional burthen to be borne be equitably levied upon so varied and rapidly changing a community.

The Lieutenant Governor therefore suggests, for the consideration of the Council, an alteration in the present tariff to the following effect:—

The duty on spirits to be	- - -	10*s.* per gallon.
„ wine	- - -	2*s.* „
„ beer	- - -	6*d.* „
„ tobacco	- - -	2*s.* per pound.
„ cigars, &c.	- -	3*s.* „
„ tea	- - -	3*d.* „
„ coffee	- - -	14*s.* per cwt.
„ raw sugar and molasses	-	3*s.* „
„ refined sugar and sugar candy		5*s.* „

And on all articles imported not enumerated above (with some few exceptions that can be specified) a fixed *ad valorem* duty, equal to 10 per cent. on their value. The increase of revenue derived from this alteration in the tariff is computed at about 800,000*l.*, by which the deficiency in the ordinary revenue would be, to a great extent, provided for.

8. In connexion with this subject the Lieutenant Governor begs to state that representations have been made to him by the Chamber of Commerce, and by almost every class of the community, in favour of a reduction in the present rates of postage; while Despatches have also been received from the Secretary of State and the Postmaster General in England, stating that, acting on a representation from the Council, which was forwarded last year, urging upon Her Majesty's Government the establishment of a uniform and moderate rate of colonial sea postage, an arrangement had been made, to come into operation on the 1st October last, by which the rate on a single letter either to or from this, in common with the neighbouring colonies and England, is fixed at 6*d.*, as will be found detailed in the correspondence which is now submitted to the Council.

Under these circumstances the Lieutenant Governor recommends that the sea postage should be fixed at 6*d.*, and the inland postage at 3*d.* per half ounce; and he has directed a Bill to be prepared and laid before the Council in conformity with these views.

This alteration will involve a considerable reduction in the estimated revenue, and therefore renders the more necessary its augmentation by other means.

9. The Lieutenant Governor now comes to the consideration of the provision required for the expenditure for public works, which, being urgent and necessary, but at the same time of a permanent character, he is of opinion should be executed with capital borrowed for the purpose by the government on debentures, bearing interest, say at 6 per cent. per annum, and payable in 21 years by annual instalments of 5 per cent. (the first instalment being payable at the end of the second year from the date of the obligation), such principal and interest to be payable in Melbourne or London, at the option of the holder; and to form a charge on the unappropriated moiety of the land fund, which would be so largely benefited by the enhanced value given to the land, and by the general development of the resources of the colony, as would enable it to meet these payments without difficulty.

10. The Lieutenant Governor feels satisfied that when there has been sufficient time to make these debentures known in England, and elsewhere in the northern hemisphere, they will meet with a ready sale as an eligible means of investment; but, in the present

state of monetary affairs in these colonies, he entertains a doubt whether any considerable sum could be raised without involving a loss in the shape of discount, to which it would be inexpedient in the Government to submit.

11. The urgency of the case, however, and the pressing necessity for the immediate completion of many of these works, render it imperative on the Lieutenant Governor to seek from the Council an authority to raise money to the extent of one million sterling for that purpose, on the distinct understanding that the works in question, and for the execution of which funds may now be voted, can only be carried on to the extent (beyond the amount derived from the unappropriated moiety of the land fund) to which it may be found practicable to sell the debentures: the current revenue being kept distinct from this branch of expenditure to meet the current requirements of the colony.

12. Notwithstanding the monetary pressure which prevails at the moment, the Lieut. Governor deems it incumbent upon him to bring prominently under the attention of the Council the great advantage which would accrue to a colony so peculiarly situated as Victoria, with a large and intelligent population rapidly flowing into it, and possessing within itself resources both agricultural and mineral, which require but development to render it the most prosperous country in the world, were some system adopted for its rapid and general intersection by railways.

The Lieutenant Governor has no desire to press this subject on the Council until after due provision has been made for the execution of the public works which are more immediately and urgently required; but when that result has been arrived at, or whenever the Council may desire, he will be prepared to co-operate with them to the fullest extent that prudence may permit, in fostering and encouraging such enterprises; and although he cannot recommend that the works themselves should be undertaken by the Government, he trusts that by the guarantee by it of a fixed dividend, for well-considered schemes, for a given period, British and foreign capital and enterprise may be attracted to the colony, to an extent which would ensure the early attainment of so important an object. The guarantee might be secured and provided for, without trenching on the ordinary revenue, by the reservation and gradual sale of land, on a scale to be determined on, on both sides of the railway, which might also form a sinking fund from which the principal might eventually be liquidated, when the works would become the property of the colony. With this view the Lieutenant Governor has already given instructions to the surveyor general to reserve, on such lines as may be laid out for railways, a certain breadth of land, increasing in extent as it recedes from the sites assigned for the larger townships, in order that the principle may be acted upon whenever it may be deemed expedient to do so.

13. The Lieutenant Governor would further invite the attention of the Council to the subject of the wharves, tonnage dues, and pilotage of the port of Melbourne, with a view to the whole being formed into a harbour trust, or placed in the hands of commissioners, by which means they might not only be rendered self-supporting, but productive of considerable revenue.

The Lieutenant Governor is of opinion that the banks of the Yarra Yarra from the breakwater to a certain point to be determined upon, should be included in this arrangement; the present sufferance wharves being resumed and compensation given to the proprietors, as opportunities and the state of the funds may permit, such compensation forming a charge, if possible, on the trust, so that a moderate and uniform rate of wharfage on goods and tonnage on vessels may be charged, which would ensure the property being kept in efficient repair, and at the same time promote the interests and convenience of the trade of the port.

14. The Lieutenant Governor will be prepared to carry out and give effect also to any recommendations of the Council, having for their object the extension of a similar measure to Geelong.

15. It has been most painful to the Lieutenant Governor in this his first financial minute to be obliged to dwell at so much length on the pecuniary embarrassment of the colony; but he desires to record his conviction that this embarrassment is but of a temporary character, and that it may be attributed in a great degree to the rapid progress and advancement of the province, which has rendered necessary a sudden and large expenditure of public funds to meet the pressure of requirements of no ordinary kind, and of unexampled difficulty of attainment.

He confidently anticipates that by the introduction of a better arranged system of management in the various departments than there has yet been time to devise, and by a prudent and economical application of the funds voted by the Council for the public service, the finances of the colony may be found equal to all legitimate demands upon them, and that it may be practicable at no distant period to remit a portion at least of the increased burthen upon the community which he has considered it imperative on him to recommend.

16. In conclusion, the Lieutenant-Governor desires to thank the Council for the liberal provision which they have made to enable him to maintain the dignity pertaining to the representative of Her Majesty in this important colony; but in reviewing the statement he has laid before them, he submits for their consideration the propriety of not giving effect to their resolution until its finances shall have been relieved from their present embarrassment.

Government Offices, Melbourne,
November 23, 1854.

VICTORIA.

Encl 2 in No. 6.

Enclosure 2 in No. 6.

SUPPLEMENTARY ESTIMATE, 1854.

1. The Lieutenant Governor transmits to the Legislative Council an estimate of the additional provision required to meet the expenditure of the current year, the aggregate of which amounts to 396,056*l.* 17*s.* 7*d.*

2. A considerable portion of this expenditure has been caused by unforseen demands upon the Government, in the necessity for the provision for which the Council will no doubt concur.

3. The Civil Commissariat shows an excess of expenditure over the sums voted for the service of the department of 110,000*l.*; this has been caused, to some extent, by the unexpected increase in the price of forage, labour, and transport during the year, but it is hoped that the more settled state of the colony, and an alteration in the system of management hitherto pursued, may, in future, not only tend to keep the expenditure within the sums voted, but effect a considerable reduction in the expenses of this and other departments of the public service.

4. The only two items which the Lieutenant Governor deems it necessary to notice more particularly, are a sum of 45,000*l.* towards the constuction of new wharves along the right bank of the Yarra Yarra, and a further sum of 7,500*l.* for the new armed steamer ordered from England, which were more immediately incurred by his instructions and on his responsibility.

5. Of the first it is only necessary to say that the inconvenience and loss occasioned to the trade of the port by the want of adequate wharf accommodation was so evident, even to a stranger, that the Lieutenant Governor's first act on his arrival was to direct its extension; and he cannot doubt that the Council will readily concur in the expediency and necessity of this measure.

6. In regard to the second, the Lieutenant Governor desires to explain that having been informed by Commander Lockyer, R.N., that the Government of this colony had ordered a screw steamer for the public service, the cost of which was not to exceed 11,500*l.*, and that the firm of Rennie and Co. had been employed for her construction, he forthwith placed himself in communication with those gentlemen, and having taken their opinion and the advice of other able and scientific engineers, he satisfied himself that the sum appropriated would not be sufficient to provide a vessel adequate to perform the service required, and he therefore incurred the responsibility of recommending that the execution of the order should be suspended until his arrival in the colony, when he caused a sum of 7,000*l.* to be remitted to England, with the promise of a further sum of 7,000*l.*, in order that a larger and more powerful vessel adapted for the various purposes for which she is intended, might be sent out. His instructions to Captain Lockyer on this subject will be laid before the Council.

7. The Lieutenant Governor also transmits, for the information of the Council, an Abstract Statement of the Income and Expenditure, ascertained and estimated, for the present year, from which it will be seen that the general revenue, including the balance of 148,487*l.* 8*s.* 10*d.*, from the year 1853, is taken at - £1,797,935 4 6

The expenditure for current purposes, at - -	2,152,177	7	1
Showing a deficiency of - - - -	354,242	2	7
The unappropriated moiety of the territorial revenue -	681,526	3	7
The expenditure on public works -	1,412,680	17	0
Showing a deficiency of - - -	£731,154	13	5
Total of both revenues - - -	2,479,461	8	1
Total expenditure - - - -	3,564,858	4	1
Total estimated deficiency - - -	£1,085,396	16	0

8. The Lieutenant Governor deems it due to himself to state that this expenditure had been either actually incurred or pledged when he arrived in the colony, to an extent which rendered it impossible to curtail it without hazarding the efficiency of the departments, and seriously impeding the progress of public works of great urgency and importance.

9. The deficiency, it will be observed, has been caused, to a great extent, by the large expenditure on account of roads and bridges and other public works; and it may be further stated, that the aggregate expenditure on public works, from the period of the separation of this colony from New South Wales to the end of the current year, will amount to about - - - - - £2,812,872 18 9

While the transfers from the unappropriated moiety of the land fund, in aid of this expenditure, are estimated at - - - - - -	1,827,599	6	6
Showing an expenditure for public works, over and above the amount of the unappropriated moiety, of	£985,273	12	3

10. It is obvious that the ordinary revenue of no country, however prosperous and great it may be, unless under the pressure of heavy and undue taxation, can be expected to meet

the large demands which have been and must continue to be made upon this Government for the immediate provision of extensive public works, the execution of which, from the rapid and unprecedented increase in its population, has become indispensable to the advancement and prosperity of the colony; and the Lieutenant Governor, in another minute accompanying the estimates for 1855, has directed the special attention of the Council to the consideration of the means by which undertakings of this character may be carried out.

11. While, however, the unappropriated moiety of the territorial revenue has thus been found unequal to the heavy demands upon it the other moiety, or that portion set apart exclusively for the purposes of immigration, shows a very different result; the estimated balance in its favour at the end of the year, after providing for immigration to the full extent of the ability of the Commissioners to supply it, being, inclusive of previous balances, 865,829*l.* 18*s.* 5*d.*

12. Under the Act 5 & 6 Vict. c. 36., for regulating the Sale of Waste Lands belonging to the Crown in the Australian Colonies, this portion of the fund in question must be applied exclusively to the introduction of population into the colony; and while that Act remains in force it cannot be legally expended for any other purpose. It is obvious, however, that although such is the letter of the law, its spirit, and the intention of its framers was, that one moiety of the revenue derived from the sale of Crown lands should serve to populate the colony, while so much of the other moiety as might be required for the purpose should be expended in the formation of roads and bridges, to open up the country, and prepare it for the occupation by, and reception of, the population so be introduced.

By the sudden and extraordinary change in the condition of the colony, caused by the discovery of its mineral wealth, this, the natural course of events, has been reversed, and a tide of unassisted immigration has flowed into it in so short a space of time as to have rendered it impossible for the Government, notwithstanding the great exertions that have been made, and the large sums that have been expended for that object, to keep pace with the urgent requirements of its augmented population.

13. Under these circumstances it cannot be doubted that the object of the Imperial Government in passing the Act in question would be attained by applying the surplus of the one moiety to the urgent necessities which the other was designed to meet, and although such an arrangement cannot be legally effected until the entire control of the territorial revenue is entrusted to the Local Legislature, the Lieutenant Governor deems it but reasonable that the surplus of the immigration moiety, which must otherwise remain unemployed in the hands of the Government, should be used as a temporary loan in aid of the general revenue, to which the other branch of that fund is so largely indebted.

14. To meet the deficiency in the revenue of this year, therefore, the Lieutenant Governor has confirmed the appropriation of the balance of the immigration moiety of the land fund, which had been sanctioned prior to his arrival; and further to assist in this object, he has negotiated a cash credit of 100,000*l.* with each of the four banks which have hitherto transacted the banking business of the Government, to be availed of when, and to the extent only, that may be required.

15. The Lieutenant Governor has been induced to adopt this course in consequence of the unfavourable state of the money market, which rendered it inexpedient to raise money upon debentures for a short period only, and also from a feeling of reluctance to adopt any measure of a more permanent character, without affording to the Council an opportunity of further considering the financial position of the colony. The arrangement, although of a temporary nature, he hopes will meet with the sanction and approval of the Council, and he doubts not that, in the event of the balance of the immigration fund being required for its more legitimate object, they will enable the Government to refund the same, and to make good, if necessary, any further deficiency of the revenue of 1854, which has thus been for the present provided for.

Government Offices, Melbourne,
November, 23, 1854.

No. 7.

No. 7.

Copy of a DESPATCH from Governor Sir Charles Hotham to the Right Hon. Sir George Grey, Bart.

(No. 162.) Toorac, near Melbourne, December 20, 1854.
(Received March 17, 1855.)
(Answered, No. 30, April 2, 1855, page 106.)

Sir,

In my Despatch No. 148,* of the 18th November last, I did myself the honour to inform you that in consequence of a riot at "Ballarat" arising from the murder of a man called "Scobie," I had found it necessary to collect a considerable force on the ground; also that the presumed perpetrators of the crime had been brought to trial and convicted; and that I had reason to believe that the population of that gold field had returned to their usual peaceful vocations.

* Page 41.

VICTORIA.

Encl. No. 1.

Extract from "Geelong Advertiser."

Encl. No. 2.

Encl. No. 3.

It is now my painful duty to acquaint you that matters have since assumed an aspect for which I was not then prepared; no sooner was the verdict promulgated, than professional agitators repaired to "Ballarat;" public meetings were called at which speeches were made, vying with each other in inflammatory declamation, and resolutions passed, which were to be presented to me by the delegates. For the particulars of my conversation with the delegates on the 27th of November, I refer you to the accompanying report, the accuracy of which may be relied on, in consequence of notes having been taken by the Government shorthand writer.

You will observe that the conversation commenced by Mr. Black declaring that he was empowered by the diggers to *demand* the release of the prisoners; and although the delegates endeavoured to explain away and soften down the word, the fact remained that they were acting under instructions, and made use of the word, because they were enjoined to do so.

Minutes of Conversation.

Short of relinquishing my authority as Her Majesty's representative, I deemed it my duty to spare no effort to conciliate, and I would particularly draw your attention to one of my expressions,—"Well, send your petition, and "let me see it; I can give no other reply,"—to prove that I was prepared to make every sacrifice to avoid bloodshed, but as the surest way to prevent a conflict is to arm in time, so I assembled a force of 430 military and police at Ballarat, and requested the Major General to entrust the command to Captain Thomas, of the 40th Regiment, and who on previous occasions had shown that he possessed the skill and ability required for the emergency.

November 28.

A detachment of the 12th Regiment, which had been forwarded in vans from Melbourne, was commanded by an officer unacquainted with the locality; he omitted to take the precaution of forming his men before entering the diggings, and the miners seizing the opportunity, overturned one waggon, maltreated the drivers and some of the soldiers, and gained possession of a box of ammunition; the disorder and confusion being terminated by the arrival of a body of mounted police, who gallopped to the rescue.

Encl. No. 1.

On the 29th November, a mass meeting was held, and the people were addressed by the usual orators, a magistrate and two witnesses attending in compliance with my instructions. The principal topics of discussion were, the reception I had given to the delegates, and the injustice of the licence fee. On the first I am led to believe that the delegates spoke with moderation and fairness, but when called upon to follow the example of the speaker, and burn the licences, a large number did as they were desired; on the whole, however, the meeting went off quietly.

Encl. No. 4, Mr. Rede's letter of November 30.

Encl. No. 5. Captain Pasley's letter of November 30.

On the following day, the 30th November, the Resident Commissioner directed a commissioner to take with him the usual force, and apprehend unlicensed miners; the results will be best comprehended by a perusal of Mr. Rede's Despatch;—suffice to say that a riot ensued, the Riot Act was read, the military called in, and shots exchanged, but without any loss of life resulting therefrom.

Encl. No. 5a.

Encl. No. 6. "Geelong Advertiser," December 2, 1854.

The aspect of affairs now became serious; the disaffected miners formed themselves into corps, elected their leaders, and commenced drilling; they possessed themselves of all the arms and ammunition which were within their reach, they established patrols, and placed parties on the high roads leading to Melbourne and Geelong; searched all carts and drays for weapons, coerced the well affected, issued orders, signed by the "secretary to the commander-in-chief of diggers under arms," despatched emissaries to the other diggings to excite the miners, and held a meeting, whereat the Australian flag of independence was solemnly consecrated, and vows proffered for its defence.

All cause for doubt as to their real intention from this moment disappeared; by the most energetic measures must order be restored, and property maintained; a riot was rapidly growing into a revolution, and the professional agitator giving place to the man of physical force.

I received the Despatch on the morning of the 1st of December; at 6 P.M. of that day the remaining companies of the 12th and 40th Regiments, with two field pieces and two howitzers—the latter being manned by the seamen of H.M.S. "Electra" and "Fantome," under the command of Lieutenants Burnaby and Keene,—were on their march to Ballarat, and Major General Sir Robert Nickle had assumed the command in person; my instructions were repeated to the authorities at Ballarat to act with temper, caution, and judg-

ment, but to enforce the law. I further added my satisfaction at the conduct they had evinced under peculiarly trying circumstances.

Hearing that several foreigners had taken an active part, the consuls of the different foreign nations issued a proclamation warning their respective citizens against participating in such unlawful proceedings; in the meantime authority was at an end on the gold field; the Government camp was placed in a state of defence, the officers confined to it, and every preparation made to repel a general attack which was threatened by the insurgents. Mr. Amos, a gold commissioner residing three miles from the Government camp, was made prisoner, and brought before the insurgent authorities; he found that they had encompassed a large space of ground with a stockade, had sentinels mounted, and were amenable to military leaders.

On the 4th of December information reached me, that a successful attack had been made upon the stockade of the insurgents, that thirty had been killed, and a large number wounded, whilst the loss on the part of the military and police amounted to three privates killed, Captain Wise of the 40th Regiment—since dead—dangerously wounded, Lieutenant Paul of the 12th Regiment, severely wounded, and eleven privates of the 12th and 40th Regiments wounded.

Encl. No. 7.
Captain Thomas, December 3.
Encl. No. 8.
Captain Pasley, R. E., December 4.
Encl. No. 9.
Resident Commissioner.

To the Despatches of Captain Thomas, the officer commanding, Captain Pasley of the Royal Engineers, and the Resident Commissioner, I would draw your attention; they relate a well concerted and able movement; they prove that the officer in command possessed the entire confidence of his men, and they show that discipline and good order were at its highest point. My thanks, and the thanks of all the well disposed of this community, are due to the officers and men of that small band; they crushed an extensive plot, they prove that masses are not to be dreaded where discipline and military confidence prevail, and I trust Her Majesty's Government may see fit to mark their approbation of the conduct of Captain Thomas, to whom I consider this colony is deeply indebted.

In Capain Wise Her Majesty has lost a gallant and valuable officer; wounded in two places at the head of his men, as he lay on his back he cheered them on to the attack.

The effect which this severe chastisement had on the gold field was evident; sweeping before them 120 prisoners, the force marched back unmolested, and the expression of those on the spot was, that the people "were stunned;" the insurgents had fired first on the Queen's troops, and a private killed before a shot was returned.

Encl. No. 10.
Proclamation of martial law from and after 12 o'clock on Wednesday, December 6.
Encl. No. 11.
£500.
£200.

I have already stated that emissaries had been sent to the other gold fields to solicit their co-operation, and the time had arrived when the hands of the Major General must be strengthened to enable him promptly to execute such measures as the circumstances of the moment might require; and finding that my Executive Council concurred with me, I proclaimed that martial law should be administered within the district of Buninyong, comprising Ballarat and its immediate neighbourhood, and I addressed the accompanying Despatch to Lieutenant Governor Sir William Denison, requesting that he would allow this garrison to be temporarily reinforced by the 99th Regiment. Further, I ordered that warrants should be issued for the apprehension of all the ring-leaders who took part in the meeting whereat the licences were burnt, or were present in the stockade at the period of the attack, and subsequently I offered a reward of 500*l.* for the apprehension of a Hanoverian named "Vern," and 200*l.* reward for the apprehension of two British subjects, "Black" and "Lawlor."

Encl. No. 12.
Letter from Assistant Military Secretary, of December 5.
Encl. No. 13.
Revocation of martial law from December 9.

On the receipt of a Despatch dated December 5, 1854, from the Major General, announcing that "there was not the slightest expression of feeling "during his progress through the diggings," I, with the advice of my Executive Council, repealed martial law, and, therefore, it had only an existence of three days.

In the meantime, the aspect of political affairs in Melbourne had become unsettled; a public meeting, called by the mayor, in accordance with the request of some of the most influential citizens, to support law and order, had been borne down by a turbulent section, and adverse resolutions carried. The public became alarmed; reports reached me that people from the disturbed districts were pouring into the capital, resolved to take advantage of the absence

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of any military force, and that another public meeting was to be held on the following day.

The safety of the cities of Melbourne and Geelong, and the maintenance of the law, depended upon their inhabitants, and to them I resolved to appeal; accordingly, I issued the accompanying notice, and I am happy to say that it was promptly and readily responded to. The Mayor of Melbourne reported 1,500 special constables sworn in on the first day, and similar measures were adopted at Geelong, and I felt assured that, unless taken by surprise, rioting and sedition would speedily be put down.

Encl. No. 14. Proclamation.

Nevertheless, I did not neglect to assemble a disciplined force. Surrounding the place chosen for the meeting were 300 police and 100 warders; within an easy distance awaited 100 mounted gentlemen volunteers, and the seamen and marines of H.M.S. "Electra" and "Fantome" guarded the powder magazine and treasury.

These precautions, and the firm front of the citizens of Melbourne and Geelong, preserved the peace in both cities; sediditious placards were circulated, inflammatory speeches made, and the crowd dispersed.

Encl. No. 15. Seditious placards.

On the 10th December, the 99th Regiment arrived; their presence tends to give confidence to the people, but I have every reason to hope that there will not be cause to require their further services.

On the 6th December, Mr. Miller, a representative member of the Legislative Council, gave the notice which I have now the honour to transmit, and on the following day the Council, headed by the Speaker, presented it in person, the Speaker informing me that it had passed unanimously. Time did not admit of my preparing a written reply, for the Colonial Secretary had very properly taken upon himself to fix the hour without any previous consultation with me; I therefore addressed the Council in person, a shorthand writer being present to take notes.

Encl. No. 16. Resolution and address of the Legislative Council.

Encl. No. 12. Reply of Lieut.-Governor to address of legislative council.

On the 14th instant, the Mayor and Town Council of Melbourne presented me with an address, expressing the assurance of their sympathy for the position in which I had been placed, and their resolution to maintain the supremacy of the law. In my reply, I urged upon them the necessity of following up the precautionary measures which they had so well begun, always keeping in view the peculiar circumstances of this colony, which render probable the recurrence of not unsimilar scenes.

Encl No. 17. Address of mayor and town council.

A deputation from gentlemen representing the squatting interests of this colony also waited upon me, tendering their loyal and undivided co-operation in the suppression of sedition.

Encl. No. 18. Address of the squatters.

And I have before me the copy of an address, to which I would draw your attention, subscribed by several hundreds of the respectable inhabitants of Melbourne and its neighbourhood, which is to be presented to-morrow; the committee for carrying out this object having been composed of some of the principal merchants and bankers.

Encl. No. 19. Address of merchants, bankers, and other gentlemen.

For the support I have received I feel most grateful; my position has been trying and difficult, but the loyalty and sound feeling of the majority of the inhabitants of Melbourne and Geelong has been satisfactorily tested, and any hopes which the evil disposed may have had on that account shattered to the winds.

To Major General Sir Robert Nickle I feel gratefully indebted; his counsel and assistance have been invaluable; and I have to acknowledge the cordial co-operation of all the authorities, civil, military, and naval; and, again, to repeat the name of Captain Thomas, of the 40th Regiment, who has twice rendered this colony essential service.

Since the earliest period of my arrival my attention has been directed to the management of the gold fields; for the purpose of obtaining accurate and reliable information, I made a tour in the mining districts, as reported in my Despatch, No. 112,* of the 18th September last; although frequently called upon to address the miners, I never made a promise; I required of them patience, and for myself, time to master the complicated difficulties in which I found the colony surrounded. As soon as I understood the general position of their affairs, I appointed a commission to inquire into the administration of the laws which govern that portion of the community; I selected members of the Legislative Council, and those only who I believed would be acceptable to them; I entreated them to place confidence in the commission, and await their report,

* Page 28.

instead of which they flew to arms and brought about a catastrophe which we must all deplore.

But that which has occurred will in no way militate against the promotion of that policy which I believe necessary for Victoria; under a liberal system of government only can she thrive, and it will be my study and aim to foster and aid it. Nevertheless the eyes of Government must not be shut against what I believe to be the fact; the agitators and promoters of sedition have further objects in view than the repeal of the licence fee; the more moderate make a trade of their vocation, and subsist upon the money collected from their followers and hearers, the rest hold foreign democratic opinions; they are indifferent as to the precise form of Government to be obtained, provided the road to it lay through an overthrow of property and general havoc. Foreigners are to be found amongst the most active; and if they abuse the hospitality and protection they obtain here, have no right to expect clemency if convicted.

Within another month, the commission now visiting the gold fields will have made their report, and by that I hope to be able to abide; but so long as a law, however obnoxious and unpopular it may be, remains in force, obedience must be rendered or government is at an end.

Concessions made to demonstrations of physical force bring their speedy retribution; the laws which regulate the gold fields are the same as I found them, and until they are legitimately repealed, or modified, it is my duty to maintain them.

I have, &c.
(Signed) CHARLES HOTHAM.

The Right Hon. Sir G. Grey, Bart.
&c. &c. &c.

Enclosure 1 in No. 7.

Encl. 1 in No. 7

From the "Geelong Advertizer" of 1st December 1854.

BALLARAT.

(From our Correspondent.)

November 30th.

Most happily yesterday passed over quietly. The meeting was held, and the subjoined resolutions were unanimously.

About mid-day a platform was erected, and the Australian flag, and it only, hoisted to attract attention. Messrs. Black, Kennedy, and Humffray, arrived by the conveyances from Geelong immediately before the hour of meeting. After their arrival some time proceedings began. Mr. T. Hayes having been voted into the chair, the deputation to town was called on to state how matters stood there. It was stated that the hands of his Excellency are so bound that he is comparatively powerless, in so far as the extension of the franchise to the diggers, the more perfect unlocking of the lands, and the release of the prisoners, when demanded by the diggers.

Strong hopes, however, are entertained by the deputation that if a memorial be presented the prisoners will be immediately released. The appointment of a liberally-constituted commission is considered to be an event of importance, as the instructions of the commission are to rectify all that is wrong, as far as there is power vested in them or Sir Charles.

Mr. Hollyoake had not returned from his mission to the up country gold fields, but he is at present hourly expected.

The principal speakers were Reynolds, Weeks, Salor, Brady, Vern, Quin, G. Black, Wheatley, Murnane, Ross, Humffray, Kennedy, &

The resolutions were:—

1. That this meeting views with the hottest indignation the daring calumny of his Honour the Acting Chief Justice, while on the bench, of the brave and struggling sufferers of Clare, Tipperary, Bristol, and other districts, in their endeavours to assert their legitimate rights, and do hereby give the most determined and the most emphatic denial to the assertions of his Honour, in stigmatizing as riots the persevering and indomitable struggles for freedom of the brave people of England and Ireland during the last 80 years.

2. That a meeting of the members of the Reform League be called at the Adelphi Theatre, on next Sunday at 2 o'clock, to elect a central committee, and that each 50 members of the League have the power to elect one member for the central Committee.

3. That this meeting, being convinced that the obnoxious licence fee is an imposition and an unjustifiable tax on free labour, pledges itself to take immediate steps to abolish the same by at once burning all their licences. That in the event of any party being arrested for having no licence, that the united people will, under all circumstances, defend and protect them.

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4. That as the diggers have determined to pay no more licences, it is necessary for them to be prepared for the contingency, as it would be wholly inconsistent, after refusing to pay a licence, to call in a Commissioner for the adjustments of such disputes, and that this meeting therefore resolves that when any party or parties have a dispute, the parties so disputing shall each appoint one man, the two men thus appointed to call in a third, and these three to decide the case finally.

5. That this meeting will not feel bound to protect any man, after 15th December, who shall not be a member of the Reform League before that day.

6. That this meeting protests against the common practice of bodies of military marching into a peaceable district with fixed bayonets, and also any force, police or otherwise, firing on the people under any circumstances, without the previous reading of the Riot Act, and that if Government officials continue to act thus unconstitutionally, we cannot be responsible for similar or worse deeds from the people.

The Rev. Bishop Goold, and Rev. Mr. Downing, came from Melbourne yesterday. So urgent did they consider their business that, I understand, they had travelled all the night previous. After their arrival, Rev. Mr. Downing and the Rev. Mr. Smith tried to persuade both the Committee and the meeting to give up the intended burning of the licences, but without avail. The amendment to resolution three had scarcely a favourer. If I understand aright, this deputation came up at the instigation of the Government, which wished them to use their influence and prevent the hurrying on the crisis which nears, now that the licences are burned. The number of licences already burned is pretty large; the next licence hunting day is the one on which all eyes are at present centred.

During the earlier portion of the meeting, and for some time, the military under arms were posted in the gully beneath the Camp, and all the other force was under arms in the Camp. The Rev. Mr. Smith and Mr. Kennedy went over, at the request of the Committee, and wished the military to be withdrawn from the sight of the meeting, as there was no real use for the display, and that many felt irritated at such an open parade of power.

The meeting passed off quietly; there was a large number of persons fully armed, who kept up a running fire of small arms. The meeting dispersed with only a slight accident to a horse from a pistol ball.

A large body of police was marched up yesterday evening to the Camp, on Eureka, to watch it, as, the night before, there had been a complete rush made on it by the diggers there, and some violence committed.

We have, I believe (for I cannot arrive at correct official information), six soldiers and police in the hospital, some badly wounded, from the effects of Monday evening and night's row. This does not include Capt. Young, who was contractor for the conveyance of supplies from town, and who was cruelly used as to render his life in imminent danger. In addition to all this sad list, must added one soldier of XII., who has died of a gunshot wound.

Many others, both officers and men, are seriously hurt, though not in the hospital. I have heard several versions of the origin of this quarrel. By to-morrow I hope to know the real state of the matter. This morning gives promise of proving a brickfielder; the dust is flying in all directions, under the influence of a strong hot wind.

Encl. 2 in No. 7.

Enclosure 2 in No. 7.

Dec. 20, 1854.

At a meeting held on Bakery Hill, in the presence of about 10,000 men, on Saturday, November 11, 1854, the following were adopted as the principles and objects of the Ballarat Reform League:—

That it is the inalienable right of every citizen to have a voice in making the laws he is called upon to obey. That taxation without representation is tyranny.

That, being as the people have been hitherto, unrepresented in the Legislative Council of the Colony of Victoria, they have been tyrannized over, and it becomes their duty as well as interest to resist, and, if necessary, to remove the irresponsible power which so tyrannized over them.

That this colony has hitherto been governed by paid officials, upon the false assumption that law is greater than justice, because, forsooth, it was made by them and their friends, and admirably suits their selfish ends and narrowminded views.

It is the object of the league to place the power in the hands of responsible representatives of the people to frame wholesome laws and carry on an honest Governmant.

That it is not the wish of the league to effect an immediate separation of this colony from the parent country, if equal laws and equal rights are dealt out to the whole free community; but that, if Queen Victoria continues to act upon the ill advice of dishonest ministers, and insists upon indirectly dictating obnoxious laws for the colony, under the assumed authority of the Royal prerogative, the Reform League will endeavour to supersede such Royal prerogative by asserting that of the people, which is the most royal of all prerogatives, as the people are the only legitimate source of all political power.

Political changes contemplated by the Reform League:—

1. A full and fair representation.
2. Manhood suffrage.
3. No property qualification of members for the Legislative Council.
4. Payment of members.
5. Short duration of Parliament.

Immediate objects of the Reform League:—

An immediate change in the management of the gold fields, by disbanding the Commissioners.

The total abolition of the diggers' and storekeepers' licence tax, and a thorough and organized agitation of the gold fields and the towns.

That, to carry out the foregoing objects, there should be a large tent erected, in which to meet and conduct the business of the Reform League; cards of membership will be issued in a few days, and Ballarat divided into districts.

At the same meeting, the following, among other resolutions, were passed:—

That this meeting condemns the insolent language used by the Colonial Secretary, the the Surveyor General, the Chief Commissioner of Gold Fields, and the Chairman of Committees, for their unwarrantable assertions respecting the veracity of the diggers, and the respectability of the representatives of the public press on the gold fields, and their sneering contempt at an appeal for an investigation into the malpractices of the corrupt camp at Ballarat:

That this meeting, having heard read the draft prospectus of the Ballarat Reform League, approve of and adopt the same, and hereby pledge themselves to support the committee in carrying out its principles and attaining its objects, which are the full political rights of the people:

That this meeting expresses its utter want of confidence in the political honesty of the Government officials in the Legislative Council, and pledge themselves to use every constitutional means to have them removed from the offices they disgrace:

That this meeting also expresses its disapprobation of the mode in which the Board of Inquiry was appointed: That it ought to have been composed of independent gentlemen, and not paid Government officials.

Encl. 3 in No. 7.

Enclosure 3 in No. 7.

Government Offices, Melbourne, Monday, November 27, 1854.

PRESENT:

His Excellency the Lieutenant Governor;
The Honourable the Colonial Secretary;
The Honourable the Attorney General.

Mr. Black, Mr. Humphreys, and Mr. Kennedy were introduced to his Excellency as a deputation from the gold miners of Ballarat.

Mr. Black.—We are here, your Excellency, at the request of the diggers of Ballarat. We are requested to demand the release of Fletcher, McIntyre, and Westerby, who are now in gaol under sentence for having been concerned in the burning of the Eureka Hotel. We should have been here on Saturday, but were unable to be so. We have hastened down to seek an interview with your Excellency in order to avert serious consequences. We have also been requested to submit to your Excellency for your Excellency's perusal, certain respresentations which have been agreed upon by the diggers of Ballarat. (A paper was handed to his Excellency by Mr. Black.)

His Excellency the Lieutenant Governor (addressing Mr. Black).—You have made use of one word which I think it my duty at once to allude to; that is the word "demand." You "demand," you say, the release of men who have been convicted for burning the Eureka Hotel. Was that not what you said?

Mr. Black.—That is the message which we have been requested to deliver to your Excellency. The word "demand" we were requested to use on behalf of the diggers of Ballarat to your Excellency. They, from frequent disappointment, or from former disappointments, object to the use of the word "petition" now. It is not that there is any wish to hold out threats to your Excellency. The people when we left were much excited at the imprisonment of the three men that I have named, and under the general excitement the word "demand" we were requested to use; but not, as I have said, that we wish to hold out to your Excellency any threat at all, but their petitions they consider have been disregarded on former occasions, and they feel themselves deeply aggrieved—deeply aggrieved, and under these circumstances they have, in their collective capacity, used that word. I have been careful to inquire, and I have understood (I may have been misinformed) that that form of expression is strictly constitutional. The diggers of Ballarat feel very deeply that the men who are now in prison should not be there. They say that they are all equally guilty of the burning of the hotel, and they contend that they were justified in so doing, considering that the magistrates had failed to dispense justice; and their reason for taking that summary course of procedure was this, that had they waited to

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appeal to your Excellency or to a higher tribunal, it would have afforded ample opportunity for the guilty parties to escape. I have heard that reason assigned, the people saying that the authorities at Ballarat were not disposed to punish those guilty men.

H. E. The Lieutenant Governor.—You must be aware, Mr. Black and gentlemen, that the very instant the Government here received information of the acquittal of Bentley and his associates, another trial was ordered; that very instant instructions were sent to apprehend Bentley, and orders were issued to try him again; the most active measures were taken. A government does not adopt the principle that it is on every single occasion to identify itself with the verdict of its own officials: the Government is judge of all, and it judged in that case that it was not a correct verdict, and ordered immediately that another trial should take place.

Mr. Black.—I may, perhaps, be permitted to state that the fact was made known by Mr. Johnstone; that he had forwarded a copy of the depositions to the Attorney General, and that the result was that immediate orders were given by the Attorney General, and approved of by your Excellency, that there should be a re-hearing, and that the parties should be re-arrested, and when that was announced to the meeting it elicited a great cheer from the meeting; therefore it will be seen that they are not ignorant of that fact.

H. E. The Lieutenant Governor.—Coming back to what you said first, you are absolutely taking the law into your own hands. By the course you are now adopting you are taking the law entirely into your own hands. You are setting aside the most important principle of the British Constitution. You and I, and everybody here, are amenable to trial by jury; from that there is no appeal, and the jury, rightly or wrongly, as every one may think for himself, have decided it as they have. I cannot depart from the verdict of the jury. There was a patient and careful hearing at the trial; the jury have decided it, and that decision we are all bound to respect. Were I to depart from it I should inflict the greatest blow that could possibly be inflicted upon the welfare of this colony.

Mr. Humphreys.—I may remind you Excellency, that in perfect consistence with your functions as Lieutenant Governor, you might by an act of grace pardon these men without setting aside the verdict of the jury. We do not ask your Excellency to do that, but we ask your Excellency by an act of grace to pardon these men. That would have the effect of quieting a very excited state of feeling which now exists.

H. E. The Lieutenant Governor.—The Americans adopted a truly constitutional course in a case where they thought themselves aggrieved. They signed a petition and presented that petition in due form through their consular representative. The consular representative said, "I give no opinion to you officially whether I consider the sentence was "correct or not; I have my own private opinion on that matter; but the Americans, as a "body, who have always respected the law, ask this, and will you grant it." That I consider to be a truly constitutional course of proceeding. I gave him no answer. I read the papers and opinions connected with the case, and eventually, in virtue of the authority vested in me, I directed that Carey should be released. Have the Ballarat diggers taken the same course? No; and I must take my stand on the word "demand." I am sorry for it, but that is the position you place me in.

Mr. Kennedy.—I should wish your Excellency to understand our position in coming here. We have taken part in the movement constitutionally, and we have gone on with meetings so far. The committee were fully aware of the spirit that was moving the diggers, and they put that term into our mouth which I apprehend has made an impression on your mind that it ought not to have done; that could be rescinded. The motive that brought us here to you was, that many of us considering the position that your Excellency is placed in; that you had not had time to develope yourself in order that the people might rightly understand your course of policy, and being placed in circumstances which the intelligent well knew; on these grounds we, having the popular voice with us, determined that we would go down and solicit your Excellency, on the ground of justice to yourself, to allay the excitement of the people. We ask as men that have to give an account for what we are doing. It is not the mere excitement of the moment; our desire is to act as men that can look back upon our conduct without a stain, and without being ashamed. I apprehend that your Excellency (and I see the force of it) has a right to call in question the word "demand;" but if you will allow us to go back with these men we can go back to state what we have done as men, and we can claim peace; but otherwise I do not see my way through it. I would never have appeared here before your Excellency had it not been on these grounds, and I solemnly implore of you to consider the position in which you are placed; and if it were for no other reason than that of keeping back the spilling of blood, which must be the case with infuriated men, let us have peace, even if thought inconsistent with the dignity of the British Crown.

Mr. Black.—I wish to say the feeling at Ballarat is this, and I believe it is shared in generally by all the public, that instead of these men being in prison, the corrupt officials, some of whom have been discharged, should rather be suffering in their place. It is felt that this act was done under a deep sense of official wrong, and injustice, and oppression; it was done from a sense of the entire disregard of justice, as your Excellency must be conscious, and, under these circumstances, they feel that these men should not suffer. Indeed, the diggers at Ballarat identify themselves universally with their acts, and I may say that they think they were justified in it, and that individuals should not suffer for it.

H. E. The Lieutenant Governor.—Departing for a moment from the line of conversation that has been hitherto pursued, you have sent here a letter which I have read very hastily, but which really seems to me to be subversive of all government. Remember what a position you place the Government in. You will be aware that on a former occasion I said my answer was, "I give no reply."

Mr. Humphreys.—I had no opportunity of communicating that reply until these gentlemen came down.

H. E. The Lieutenant Governor.—That was the answer I gave, and in the meantime this letter comes. It is impossible for me to do what is asked of me, placed as I am in the position of the Queen's representative. You know also that a Commission has been appointed, composed of gentlemen almost all of whom are in opposition to the Government, and almost all of whom are representative members of the Legislature, selected with very great care purposely to inquire into the state of the gold fields; and it will be for you to come forward and state fairly and frankly to them what you require.

Mr. Black.—As to the Board of Inquiry, I believe there are members of that Board who are very highly thought of by the digging community, but I believe they would have been better satisfied with that Board had they been allowed to appoint or elect one half of that Board. They have no objection to Mr. Fawkner, and probably other members of the Board, but they feel that justice is not done them when these Boards are appointed. They are a numerous body, and they consider themselves an important body of men, and that has been acknowledged over and over again; and these steps being taken without consulting them at all, is not what they think proper. They had great objections to the former Board that visited Ballarat, seeing that it consisted of officials from town.

H. E. The Lieutenant Governor.—Really the verdict of that Board was such as could not give dissatisfaction.

Mr. Black.—Yes, I believe the dismission of Mr. Dewes and the other officers did give satisfaction.

H. E. The Lieutenant Governor.—That shows every wish on my part that they should have full justice.

Mr. Black.—I believe the people of Ballarat are sensible of the readiness of the Government to do what they can under the present circumstances.

H. E. The Lieutenant Governor.—I can only conclude by saying this: you have placed me in a position which renders the release of these men impossible. I am sorry that you have extracted that much from me, because you are aware of what I said on a former occasion, and which was fairly reported in the papers. I have said before, it cannot be. As it has been observed, we have all of us to give an account to those above us, and it cannot be. I am sorry for it. Tell the diggers from me, and tell them carefully, that this Commission will inquire into everything, and everybody, high and low, rich and poor, and you have only to come forward and state your grievances, and in what relates to me they shall be redressed. I can say no more. We are all in a false position altogether. I can say no more than that.

Mr. Black.—I would take the liberty of pressing once more upon your Excellency that if you will let the matter be in abeyance we will present a memorial; and, in the meantime, if your Excellency should see your way to, by an act of grace, pardoning these men, not setting aside the verdict of the jury, but merely taking into your Excellency's consideration the suggestion offered by that jury, who, in fact, morally acquitted the men, though they felt legally bound by their oath to find them guilty of taking part in a certain act. The judgment of the country is decidedly in their favour, and fully harmonizes with the rider which the jury appended to their verdict, as shown by the effect which it took upon the Court when delivered. The learned Attorney General will pardon me for alluding to it, but he was present, and he heard the manifestation of feeling in the Court, however improper it may have been, showing that the public fully approved of the rider of the jury. I do think that your Excellency can, in perfect accordance with the dignity of your official station, really discharge these men, and take from the mouths of men who are now rampant and loud in condemning the Government, and everything belonging to it, their ground of complaint; it would at once silence them, and restore peace at the diggings, and take away that excuse for a riot which every one of us would take an opportunity of disclaiming.

H. E. The Lieutenant Governor.—I have too good an opinion of the diggers at Ballarat to believe that, though they do not approve of the verdict, they will set themselves against the law. If it is so, it will be quite a new thing for Englishmen to attempt to overturn trial by jury. It would be a frightful state of things, and we must all take our stand when it comes to that.

Mr. Black.—The impression of the people at Ballarat is this, that the jury could not find any other verdict; and while the men might have been legally wrong, they contend that they were morally right, and that there was every excuse for the jury doing what they did under the circumstances; and it is on these special and peculiar grounds, they wish them to be released; not that they wish to overturn trial by jury—far from that—but they blame the officials, and they do not blame these men.

H. E. The Lieutentant Governor.—We must conclude; if you will tell the diggers from me exactly what I have said, that I cannot do it; the position they have taken, and the position I am in, render it impossible. The men have received a mild sentence.

Mr. Black.—Very; that is acknowledged.

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H. E. The Lieutenant Governor.—Consonant with the law, it is the mildest sentence that could be given. We are now in that position, that we cannot depart from the course which the jury have taken. I am placed in a false position by the act of the diggers themselves; and if you have property at stake in the country, you ought to take that view also.

Mr. Black.—We comprehend your Excellency, and will be faithful to represent what you say. Passing from that subject, we would wish to know from your Excellency what the Government intend to do with regard to giving the diggers full and equal representation.

H. E. The Lieutenant Governor.—You know that a Despatch has gone home asking for the franchise. This event took place before my coming into the colony, and therefore I cannot speak with confidence upon it. You know also that I have no power to deal with the question, and could not do so if I would. You know also as I have said before, that if the diggers will elect a nominee, I will at once put him in, and shall only be too glad to do it.

The Hon. the Colonial Secretary.—As this took place before your Excellency's arrival in the colony, you will perhaps allow me to say, that the Despatch did go home, and the receipt of that Despatch was acknowledged, and a special Bill for enfranchising the diggers was passed last Session, and was reserved for the Queen's assent; and the receipt of that Bill has also been acknowledged. That Bill was wholly independent of the Constitution Bill.

H. E. The Lieutenant Governor.—I understand the matter to stand thus: that a special Bill was passed in order that if the Constitution Bill, owing to unforeseen circumstances, were delayed, the diggers at all events should have the power of electing their representatives.

Mr. Humphreys.—One, or more?

H. E. The Lieutenant Governor.—More.

The Hon the Attorney General.—The number was not fixed in any way. The object of the Bill was to confer the elective franchise; the number of members was to be determined afterwards by the Legislative Council.

H. E. The Lieutenant Governor.—I feel the greatest anxiety that they should have the franchise; and, as I have already said, if the diggers now elect a representative, I shall only be too glad to put him into the Council.

Mr. Humphreys.—The difficulty would be to get the different gold fields to agree to name one representative for the whole; each gold field should have a right to send its own representatives.

Mr. Black.—I am quite sure that only one seat in the Council would not satisfy the diggers.

H. E. The Lieutenant Governor.—I have not the means of doing more. You are asking me to do that which is impossible, and an impossibility cannot be got over, do all I can.

Mr. Black.—The Constitution Bill requires a digger to take out a twelvemonth's licence, or he cannot vote. Now, from my experience of the gold fields, I may say that very few, if any, diggers do take out a yearly licence, that is my impression; they object to having long licences; some take them for longer than three months, and the Bill requires that a digger should take out a twelvemonth's licence before he can have a vote. I look upon that as a virtual disfranchisement of the diggers.

H. E. The Lieutenant Governor.—Is there not a clause in the New Constitution Bill which allows the Constitution to be amended from time to time?

The Hon. the Attorney General.—I do not know to which Mr. Black alludes, whether the separate Bill to enfranchise the diggers, or the Constitution Bill.

Mr Black.—The Constitution Bill.

H. E. The Lieutenant Governor.—Point out that it is an injustice, and there is a power to amend it. You may depend upon it that no government would wish to govern in that way, or even if they did so after the New Constitution is in operation, they would not have the power to do so. The diggers may be quite certain about that, if the new Constitution passes, and a new state of things exists here.

Mr. Humphreys.—In all Bills there is a power to amend them.

H. E. The Lieutenant Governor.—To be sure there is.

Mr Black.—I believe the Bill requires that before the New Constitution Bill can be amended there must be a majority of two thirds.

The Hon. the Colonial Secretary.—No, it was so proposed and altered. A common majority can amend the Bill.

H. E. The Lieutenant Governor.—Let us sum up. In what position are the diggers with regard to the new Constitution? Supposing they agree to elect one member, I will immediately put him into the Council; I cannot do more than that, but I will do that as speedily as they like. But supposing they cannot agree to that, and they could do nothing else, but that the New Constitution is but a question of four or five months; and you may depend upon it, as I repeat to you, that whatever government you have in power, will be compelled, by the nature of things, to put the diggers in that position which in my judgment he ought to be in.

Mr. Black.—A considerable number of the clauses of the Constitution Bill the diggers are dissatisfied with. The qualification of members, the qualification of voters,—with all these matters they are dissatisfied. No digger can be elected to a seat in the Assembly unless he is worth one or two thousand pounds of freehold property. They object to this,

and say,—and say justly,—a digger fit to take his seat as a representative of their interest may not have one hundred pounds' worth of freehold property.

The Hon. the Attorney General.—It is singular, your Excellency, that these views were not more distinctly put when the Bill was under discussion, but are now brought forward when the power does not exist either in your Excellency or in the Legislative Council to alter it.

Mr. Black.—In reply to that, I have to say that the men of Bendigo sent down two gentlemen in whom they had confidence, with a request that they might be heard upon the Constitution Bill, either through counsel or personally. Their request was not granted; it was refused. They held many meetings both before that Bill was framed, and after contending for the right of the suffrage, and for other important matters such as they now require; but I am compelled to say, in justice to them now, that their voice has been disregarded; they were not allowed to be heard upon that Bill.

H. E. The Lieutenant Governor.—I cannot reply to that. You know when I arrived in the colony. I can give no answer to that.

The Hon. the Colonial Secretary.—It is contrary to the rules of the House to allow people to come and make speeches at the bar of the House. The diggers got the answer which every other class of men would have got under the circumstances, namely, that they might approach the House by petition, but that they could not be allowed to speak at the bar of the House, and it was especially explained at the time that there was no discourtesy whatever meant towards the diggers.

Mr. Black (addressing the Colonial Secretary).—Had they not, your Honour, petitioned before, and had their petitions been properly met?

The Hon. the Colonial Secretary.—I am not aware what petition you allude to.

Mr. Black.—From various gold fields petitions were forwarded relative to the franchise.

The Hon. the Colonial Secretary.—Which the Legislative Council had not the power to give them.

Mr. Black.—But they had the power to enfranchise them under that Bill.

The Hon. the Colonial Secretary.— Not without the sanction of the Imperial Parliament, and for that sanction the Bill was sent home.

Mr. Black.—I think you scarcely understand what I mean. It is this: the Legislative Council, in framing that Bill for the new Constitution, could have enfranchised the diggers, and could have given to them universal suffrage. Instead of having inserted a clause in the Bill requiring the diggers to take out a twelvemonth's licence, they could have inserted a clause giving them the franchise without that qualification. That is what I mean. That was not done, and because it was not done that is why they feel an injustice has been done to them.

The Hon. the Colonial Secretary.—The Legislature did not see any reason why the diggers should have universal suffrage more than any other class of the community. The Bill provides that any person following a fixed avocation for twelve months shall be entitled to the franchise; a clerk for twelve months, or a leaseholder for twelve months has it, and the same rule was extended to the diggings; and any man who chose to take out a license for a year, in order to give a guarantee to society that he is a *bonâ fide* digger, and not a mere visitor from Van Diemen's Land or elsewhere, who ought not to interfere with the permanent legislation of the country; any man who will give us a guarantee that he will remain in the colony for one year is entitled to the suffrage, which is a more extended right than is given to any other class of the community.

Mr. Humphreys.—It is far from the diggers to wish to obtrude themselves upon the community, but they feel as a class that they are excluded from the rightful privileges which ought to be awarded to good citizens, and are rather treated as "wandering vagabonds," which is an expression that has been used in the House, and has produced a very bad effect. I would remind your Excellency of the importance, not only of having peace on the gold fields, but of securing the confidence of the diggers in the Government. We are anxious that they should have full confidence in the Government, and also that the Government should deserve their confidence, and humbly make our suggestions as to the means by which it may be secured.

H. E. The Lieutenant Governor.—With regard to the New Constitution, whatever my desire may be, we can do nothing now; until the Bill comes out from home I can do nothing. With regard to the gold fields, every description of inquiry concerning them I promise you; the fullest and fairest inquiry shall be had. I am quite certain of that. I can say no more. I have spoken to every one of those gentlemen individually on the subject. I have been too short a time in the colony to have any lengthened personal acquaintance with them. We all met as strangers, but I have explained to them my views, and have asked them that the inquiry should be as full and fair and complete as possible; and I ask you to go before them, and that I am sure will be more satisfactory to you, being the constitutional course which is observed in England, and far better than if I had attempted to adjudicate upon your rights and claims and privileges; and I am sure you will be better satisfied, and on that account I have appointed the Commission.

Mr. Humphreys.—May we entertain a hope of a favourable response to a memorial?

H. E. The Lieutenant Governor.—Send your memorial and let us see it. I can give no other reply.

Mr. Black.—I am desired by the married men of Ballarat to make a request of your Excellency. It is this—that every possible facility may be afforded by your Excellency

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to enable them to settle and have their wives and families there. They are all anxious to settle upon the land, but at present the difficulties of their so doing are too great, and I am requested to bring that subject especially before your Excellency's notice.

H. E. The Lieutenant Governor.—That is a point which presses very much, but it is of such a very serious character, that at the present time, while I admit the importance of what you say, I feel a difficulty in giving any answer further than to say that I am not wedded to any one system, and that I am as free as ever. I can give no answer at present, further than agreeing with you in the necessity for some provision being made.

Mr. Black.—I find, by looking over the land that has been selected for sale, and the sales that have taken place, that the very best land, or rather the land of the very best quality, is put up in the largest allotments, so that only men of capital can purchase the good land, and the poor land is cut up into small slices for the diggers.

H. E. The Lieutenant Governor.—That shall be looked to and considered, certainly.

Mr. Kennedy.—There is one remark which I would wish to make to your Excellency, that Sir Robert Peel did not think it beneath him to change his mind, and we hope you will grant the diggers their wishes on this point of the release of these men.

Encl. 4 in No. 7.

Enclosure 4 in No. 7.

SIR, Ballarat, November 30, 1854.

ACCORDING to my instructions detailed in my Despatch of last night, to send out the police in search of licences to-day, I have the honour to inform you that Mr. Assistant Commissioner Johnstone, accompanied by the usual number of police, went into the grave pits, where they were pelted with stones, and obliged to retire. I sent down more police to support them, and soon after my presence was required; a mob was assembled on the road, declaring they would not take out licences, and wanted me to send back the police. I harrangued them, telling them so long as the law was in force I would maintain it; that they had been told by their delegates yesterday the intention of his Excellency the Lieut. Governor was to abolish the licence fee, if advised to do so by the Commission; that this Commission was formed of members of the Legislative Council (a cheer was here given for Mr. Fawkner). I appealed to the well-disposed to retire, and some did so; but as there was still a considerable number, and I heard that the Eureka mob would join, I read the Riot Act, and sent for the military to support the police; the mob dispersed, and Mr. Johnstone made the people show their licences. Several shots were fired on both sides; one policeman had his head cut open, and one of the horses of the mounted 40th Regiment was stabbed; a miner was shot through the hand, and eight prisoners were made, who were brought into the camp. Before reading the Riot Act, and afterwards, I had large quartz thrown at my head. Had anything like a serious resistance been made there would have been considerable slaughter; our object was gained, we maintained the law.

Whilst writing, information has been brought in that the camp will be attacked at four o'clock to morrow morning; a large meeting is being held on the Bakery Hill; I hear they are all armed, and determined to release the prisoners; we shall be on the alert.

The absolute necessity of putting down all meetings, public and private, I think must now be apparent, for the abolition of the licence fee is merely a watchword; the whole affair is a strong democratic agitation by an armed mob. If the Government will hold this, and the other gold fields, it must at once crush this movement; and I would advise again that this gold field be put under martial law, and artillery and a strong force sent up to reinforce it.

I would also suggest a proclamation from his Excellecy that it is his determination to stop it. I must also earnestly request some instructions for my future guidance.

I have, &c.
(Signed) ROBERT REDE,
Resident Commissioner.

The Hon. the Colonial Secretary,
&c. &c.

Encl. 5 in No. 7.

Enclosure 5 in No. 7.

SIR, Camp, Ballarat, November 30, 1854.

IN accordance with the resolution adopted last night, Mr. Commissioner Johnstone was sent out by the resident commissioner this morning about eleven o'clock in search of unlicensed miners in the district of the gravel pits; he was accompanied by a small party of police, who were attacked, and some of them injured (although not seriously) in the discharge of their duty.

Mr. Rede then proceeded to the spot, and endeavoured to induce the mob to disperse. Upon their refusing to do so he read the Riot Act, and sent for the troops; Capt. Thomas immediately ordered out the same troops that had been previously detailed for the purpose of dispersing the meeting if necessary.

The forces so employed are detailed in the margin, the remainder of the garrison remaining under arms in the camp.

The troops advanced in skirmishing order across the flat, with cavalry on both flanks and in the centre. No active resistance was made to the advance, but there was very little cause to look for effective support from any portion of the population of that district.

My duty as acting aide-de-camp to Captain Thomas caused me to be constantly riding backwards and forwards between the several detachments and amongst the diggers' tents, and I had consequently an opportunity of observing the feeling of those assembled in the neighbourhood, which did not appear to be very much in our favour; the movements were carried out quite successfully, and without the loss of a man, although several shots were fired on both sides.

Mr. Commissioner Johnstone's district was swept, and eight prisoners brought in, who are now under examination.

An armed meeting is now being held on the Bakery Hill, and we are informed that the men are being drilled; but it is too late to disperse them, and darkness would come on before we could get back to the camp.

Information has just been received that it is the intention of the armed mob to attack the camp on all sides at about four o'clock to-morrow morning. I do not know how much confidence is to be placed in this, but in any case we shall be ready to receive them.

From what I have seen to day I am convinced more than ever that very strong measures are necessary on this gold field, and that sedition must be put down by force.

I feel sure that conciliatory measures will only do harm at such a late period in the disturbances, and that the disaffected must be coerced.

Although I have no doubt of our holding the camp against any force that the diggers can bring into the field, I think it is very desirable that we should be reinforced by the whole disposable troops in Melbourne, and by artillery, as I am convinced that before many days have passed it will be necessary for us to sweep the whole gold field.

It will not do for the Government authorities here to remain entirely on the defensive. I think that we have gained moral force by the operations of to-day, but they could not be often repeated with the small force at Captain Thomas's disposal. At the same time that the troops are sent up, should his Excellency decide on sending them, I would beg strongly to urge that the magistrates should be empowered to proclaim martial law in case of a necessity for such a step arising.

I am compelled to close this despatch in a very hurried manner, as it is considered necessary to send to Melbourne without delay; but I trust his Excellency will believe that I do not recommend these strong measures without good grounds and due consideration.

I have, &c.
(Signed) C. PASLEY.

The Hon. the Colonial Secretary,
&c. &c.

P.S.—I am compelled, in consequence of want of time, to omit the marginal detail of troops employed in the movement.

Enclosure 5 (*a*) in No. 7.

Encl. 5(*a*) in No. 7.

Eureka Camp, December 2, 1854.

THIS is to certify that a horse, branded H. H., was pressed by order of the Commander-in-Chief for the use of diggers under arms, on the above date.

By order,
(Signed) A. A. BLACK, Secretary.

Enclosure 6 in No. 7.

Encl. 6 in No. 7.

From the "Geelong Advertiser," of December 2, 1854.

BALLARAT.

(From our Correspondent.)

Two o'clock, November 30.

IT is only ten hours since I closed my regular correspondence; but the events which have since transpired are so extraordinary as to demand an express, which I hope will arrive in time for to-morrow's issue.

About 11 to-day, a body of police, horse and foot, left the Camp, under the command of Mr. Commissioner Johnstone. When they had neared the Eagle Saloon, on the New Road, the people began to "Joe" them; the party so calling were surrounded and asked for their licences. Some had them, some had not. Those who had none bolted off and ran among the Gravel Pit holes. This fact was soon communicated to the Camp. Mr. Commissioner Rede and more force soon arrived. This gentleman got among the crowd and remonstrated with them; he said that unles they separated, he would read the Riot Act, which he soon after attempted to do, but did not read through. By this time

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the whole force of the Camp was out on the Flat, or on the slope leading to the township; some four or five prisoners were taken and marched off, whether for resistence or want of licenses, I know not. One man who was in charge attempted to escape; he ran among the tents on the flat, and both police and military were ordered by an Inspector of Police to fire on him, which they did. This happened among tents were women and children were congregated in large numbers. I do not hear of any deaths on either side, though some are wounded. About twelve o'clock the force was withdrawn, and as I write all is again quiet. From where I am writing I see the soldiers under arms outside the camp. The police are all under arms in the camp, and the mess room verandah is breastworked with bags filled with earth and sand. Work is knocked of, and the whole population is talking over the events of the morning.

The Resident Commissioner rode up to Mr. Humffray, the Secretary of the League, and some others, and said, "See now the consequences of your agitation." To which it was replied, "No; but see the consequences of impolitic coercion." I wish that our local authorities had but a little common sense. Was it right, was it politic to go on a licence hunting raid in such terms and under such exciting circumstances? Mr. Humffray personally warned the Lieutenant Governor in town, and I have called his attention to the necessity of being prepared to act with judgment under the circumstances.

The express waits. I must conclude by saying that rain has come on after the morning's hot winds.

Dec. 1.

Event follows event here so quickly, that unless each is narrated immediately on its occurrence, it appears as if months old. However, I mean to run the risk of being charged with retailing old news rather than leave you uninformed of the main facts, of which, not being present myself, till now I was unable to get a correct version.

Well then, our present state began, from one man on Eureka asking the favour of a word from an officer in command of the body of military, which came in from Melbourne on the evening of the 28th by Eureka, to whom the officer replied, "I hold no communication with rebels." Soon after this a man with a blunderbuss happened to pass along the road on which the military were marching, and from some cause which I am unable to learn had his weapon taken from him; immediately after, some ten men of the "Bakery Hill mob," set on the detachment, took from twenty to thirty stand of arms from the soldiers, hunted them, and then seized on the carts which were conveying the store of ammunition, ran them down a hill into some old ground, and coolly searched them to see if there were any cannons stowed away in them, as had been reported; they found none, but came on no inconsiderable quantity of cartridges, which are now in their possession. It was in this onset that Captain Young received his hurts, of which he is still in a very precarious state.

Information of the affair having been sent to the Camp, a body of mounted troopers were sent to the rescue to form a rear guard; these men covered the march of the military, every now and then whirling round and checking the diggers who hung on the rear. This operation had been gone through several times until when the bridge on the Flat was reached a determined stand was made, and on a volley of stones being thrown here, as had been done several times before, a charge was made among the crowd. The swords were freely used, which so provoked the men assembled who chanced to be armed, that they fired on them; I believe the troopers fired in return, but ultimately made for the Camp. This is, as far as I can make out from parties present, what happened about ten o'clock on the night of the 28th.

Next day the meeting was held on the Bakery Hill, as I have informed you, to which I may add that three cheers were given for Mr. Fawkner, the tried friend of the diggers, and the same and a vote of thanks to Mr. Ireland and Stavely for their handsome conduct in the matter of fees in the defence cause.

Yesterday all was quiet up to eleven o'clock, and would have been so yet had not the attempt been made to look for licences; some of those who were first asked, instead of licences I believe showed their cards of membership of the Reform League, and when about to be taken into custody escaped among the Gravel Pits workings; more force was soon sent for and arrived; they drew up on the New Road, when Messrs. Rede & Johnstone advanced in front of them to a crowd; the former gentleman tried to persuade those assembled and still gathering to disperse, failing to do this he said he must read the Riot Act, and use force; several parties remonstrated with him on the impolicy of the course he was following. Mr. Rede replied that he was merely carrying out the law as it at present stood, and that he was determined to do so at all hazards. He then began to read the Riot Act, at which time I was standing near him; as a large body of troops and foot police were at some distance behind me, I considered it my safer course to shift my quarters, which I did, but soon found that the Riot Act had been got through at such a telegraphic speed, that notwithstanding a thrice repeated "God save the diggers," I was wellnigh caught in the rush of troopers, consequent on the order "draw swords and advance."

Although I am not very intimate with the Riot Act, still I think that it is so long that there was an impossibility in the way of its being read in the time occupied by Mr. Rede.

I am borne out in the supposition by the information of several parties who assert that but a portion of it was read. If so, I believe that the consequent proceedings were illegal.

Immediately after the first charge matters became so general and complicated that I can furnish but a poor narrative; there was rushing here, then back again, officers and orderlies galloped wildly along the New Road, swords rattled, shots were fired, and single prisoners were taken, and marched to the Camp. Some I hear are charged with having had no licences, others with attempted rescue and a few with firing on the military and police. Monday's Police Court will I expect put me in possession of the real state of the facts. It was currently reported that one digger had been killed, but I cannot vouch for the truth of it. Several of the diggers I know were seriously wounded, and I saw blood marks on a few of the Police.

About half-past twelve the whole force was marched up to the Camp again. They were all under arms when the express left, and there is still a large force employed in guarding every avenue to the Camp, and patroling in every direction.

At three o'clock an impromptu meeting was held on Bakery Hill, when volunteers were called for, and instantly stepped forward to the amount of 500 men or so; many, though not all of these men, were armed. They assembled round the Australian flag, which has now a permanent flag staff, chose their leaders, and drafted off detachments for different duties. Before separating, the volunteers were impressed with the necessity of strictly respecting property in the event of any disturbance, at the peril of instant death. They all knelt down around the flag, swore to defend each other, and prayed Heaven to prosper them.

Among the other arrangements was the setting off of fifty men to visit the tents and stores, and procure arms and ammunition. This they were doing all the evening, and I hear they have been very successful.

During the meeting, Dr. Carr had the impudence to come among the ranks of volunteers and coolly inspect the men standing there. From some evidence given in Bentley's case he is highly unpopular, and had it not been for great exertions on the part of the better disposed of those present violence would have been the result, but as it was he got off in safety.

One thing was very remarkable—the almost, if not actual absence of drunken men; once or twice a cheer broke forth, but in general a settled determination appeared to have fallen on them; they felt the solemnity of the occasion.

I am informed that the owners of houses facing the back part of the Camp on Lydiard Street have had orders to fire their premises if an attack is made on the Camp by the diggers, lest they should be used as covers from which the diggers might annoy them while engaged in defending the point.

Barricades of all kinds are being thrown up inside and around the Camp, on which it is considered that an attack is shortly to be made. No cannon, I believe, has as yet arrived, though I hear that Captain M'Mahon is to be in before ten o'clock to-day with eighty troopers and some half dozen pieces.

A deputation from here went to Creswick to-day; and whether from a suspicion that assistance would be wanted there, or positive information received, it was deemed necessary to send a body of troopers there late yesterday afternoon. The bells at the various houses of worship are to be rung to collect the volunteers, that the day's arrangements may be made.

Neither yesterday nor to-day have I been able to attend the land sales, but it is no great matter, as I hear that the sale has been put off, owing to the paucity of bidders.

We had very heavy rain from eight to eleven o'clock during the night, accompanied with thunder and lightning. The weather appears just now to be as unsettled as men's minds. * * * *

Business of all kinds is very dull, owing to the excitement we are under, and unless some immediate and wise steps are taken, no improvement can be hoped for.

The diggers hold that they are right at present. The camp does the same. The public can judge from the facts before them. The opinion of most disinterested persons here is, as the authorities assert, that they were but carrying out the law; but it is asserted that the hunting for licences, as matters stood, was alike unwise and indicative of a wish on the part of the authorities here to hurry on a collision.

The new Commission of Investigation is, I think, in a fix. If some of the members attend to their duties in the Council, which they should do during the passing of the Estimates, our interest, although most pressing, must be laid aside for a time, while every hour proves how instantly this Commission should set to work. And if we are now attended to, can the interests of the colony justly want the services of Messrs. Fawkner and O'Shanassy? Turn which way you will, there are serious questions for consideration, and not one of which can be deferred with safety to the colony.

5 a.m.

About 300 horse and foot—military and police—have just returned from Bakery Hill, where they went to disperse some men who had been seen to assemble there about half an hour before. They took no prisoners, because when they arrived there was none to lay hold of. The parties in question on the hill were some hundred of the Volunteers, who had been on night service, as outposts, &c.

There is no denying the plain fact, that organization is going on rapidly; even now the troops here are doubly outnumbered, and in a few days, unless Sir Charles interferes by sending up some men of peace immediately, no matter how brave all the force in the

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colony, if concentrated here, would find work enough to do. Still, what I consider the plain truth—I say it neither as threat or bounce—many fear that harm will be done to-day. I can only say that things look as bad as they almost possibly can. Is there no peacemaker?

The party on night service have two men prisoners; they were endeavouring to pass themselves off as diggers, but some one recognized them as being attached to the Camp. They have them in confinement.

Enclosure 7 in No. 7.

SIR, Camp, Ballarat, December 3, 1854.

I HAVE the honour to report, for the information of the Major General, the following details relative to a collision that took place this morning between the troops under my command and the Ballarat rebels.*

The Major General has already been made aware of the fact that a large number of ill-disposed persons have for some days been openly organizing, drilling, and equipping themselves, with the undisguised object of attacking Her Majesty's troops, and if possible of subverting Government.

During the night of the 1st instant frequent signals were observed passing from tent to tent around the camp, and several shots were fired over the heads of the sentries. I therefore considered it necessary on the following day to issue a public notice, "That no light would "be allowed in the neighbourhood after eight o'clock; that no discharge of fire-arms would "be permitted on any pretence; and that persons disobeying these orders would be fired "at." This notice produced the desired effect.

Encl. 7 in No. 7.

Early on the 2d ultimo information reached me that the rebels were forming an intrenched camp at the Eureka diggings, about a mile and a half from our camp, with the assumed intention of intercepting the forces under the Major General's command *en route* from Melbourne.

In the course of the afternoon, Mr. Commissioner Amos, in charge of the Eureka station, arrived here, and reported that an armed party of the rebels had marched up to his camp, taken him prisoner, and subsequently released him, but kept possession of his horse.

During the whole of that day strong parties of insurgents were parading the diggings in every direction, many of them in sight of the camp, robbing stores, collecting arms, and forcing people to join their ranks.

I did not consider it prudent to attack them, as they were not collected in any one spot, and the safety of the camp would have been risked had a large portion of the force been withdrawn.

I determined, however, to attack their camp at daylight the next morning; for this purpose the troops (detailed in the margin)* were ordered to assemble at half-past 2 o'clock, A.M. At 3 o'clock I left with this force, handing over the charge of the Camp to Captain Atkinson of the 12th Regiment, with the remainder of the troops and police.

Accompanying us were Mr. Commissioner Amos, who acted as a guide, Messieurs Hackett, P.M., and Webster, Civil Commissary, all magistrates.

In excellent order, and with perfect silence, the force arrived in about half an hour in front of the intrenchment, and about 300 yards from it. Under cover of a rise of the ground the detachments of the 12th and 40th regiments extended in skirmishing order, each having its proper support.

Part of the mounted force of military and police moved towards the left of their position to threaten its flank and rear; the remainder of the mounted force, and the foot police, were kept in reserve. We then advanced quietly towards the intrenchment, where the revolutionary flag was flying; at about 150 yards we were received by a rather sharp and well-directed fire from the rebels, without word or challenge on their part; then, and not until then, I ordered the bugle to sound the "commence firing." For about ten minutes a heavy fire was kept up by the troops advancing, which was replied to by the rebels; during this time I brought up the infantry supports and foot police. The intrenchment was then carried, and I ordered the firing to cease. All persons found within the intrenchment were taken prisoners, and many of the fugitives were intercepted by the cavalry.

I afterwards brought the infantry, and a portion of the mounted police in charge of the prisoners and wounded, to camp, directing the remainder of the cavalry to recover the Government Camp at the Eureka, which was about 500 yards from the place we then stood,

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* Mounted military force 30 (all ranks), with Lieut. Hall and Lieut. Gardyne.

Mounted police -	- 70	do.	Sub-Inspectors Furnell, Langley, Chanley, and Lieut. Cossack.
12th regiment -	- 65	do.	Capt. Queade and Lieut. Paul
40th regiment -	- 87	do.	Capt. Wise, Lieut. Bowdler, Lieut. Richards.
Foot police -	- 24	do.	Sub-Inspector Carter.

Total troops mounted - - 100. Foot - - 176.

and which was reported to be in possession of the insurgents. They found that it had been occupied by them during the night, and that it had subsequently been deserted; the whole force accordingly returned to camp.

The number of prisoners brought in was 125; a few of them, however, I ordered to be released, as I was not satisfied they had been in the engagement, although they were in the immediate neighbourhood. Several have been taken since on the charge of insurrection, which makes the number now in custody, 114.

The behaviour of the troops and police, both officers and men, in this skirmish was very good; and whilst I hope the Major General will be pleased to convey to his Excellency my appreciation of the conduct of the whole police force under my command, I feel it right particularly to notice the extreme steadiness of the foot police under Captain Carter, who were brought up with the supports to carry the intrenchment.

I am most desirous of acknowledging the great assistance I have received in this affair, and in all the arrangements connected with my command, from Captain Pasley, Royal Engineers, who was good enough to act as my aide-de-camp on this occasion, and who joined the skirmishers in their advance. Mr. Webster remained under fire the whole time, giving me the benefit of his services. Mr. Hackett, the police magistrate, remained with the infantry, and Mr. Amos guided the cavalry to their position.

I cannot omit from my Despatch the expression of my deep regret at the dangerous wound received by Captain Wise, of the 40th Regiment, who, remaining at his post after getting a slight wound, fell on the inside of the intrenchment when conspicuously leading his company to the attack. Lieutenant Paull, 12th Regiment, also received a severe wound, but continued to do his duty in the ranks.

The number of the killed and wounded on the side of the insurgents was great, but I have no means of ascertaining it correctly; I have reason, however, to believe that there were not less than thirty killed on the spot, and I know that many have since died of their wounds.

Amongst these and the persons in custody several leaders of the insurrection appear, two of whom lie dangerously, if not mortally, wounded, in hotels near the spot.

The effect of this blow has been that the police now patrol in small bodies the length and breadth of the Ballarat gold field without threats or insult.

To such of the wounded as have not been removed I have sent medical assistance, and have caused the unclaimed dead to be taken away and buried in the cemetry.

I have, &c.

(Signed) J. W. Thomas,
Captain Commanding Troops, Ballarat.

P.S.—Annexed is the list of casualties copied from the surgeon's report.

The Deputy Adjutant General, Head Quarters.

VICTORIA.

Ballarat, December 3, 1854.

LIST OF CASUALTIES incurred by the Force under the command of Captain J. W. Thomas, 40th Regiment, in the attack on the Rebel Camp, at Eureka, on December 3, 1854.

No.	12TH REGIMENT. Rank and Names.	Killed.	Surgeon's Remarks.
	None.		
		Wounded.	
1	Lieut. W. H. Paull - -	Severely.	Gun shot wound of the hip.
1	Private Wm. Webb - -	Mortally.	Gun shot wound in the arm and back.
2	„ Robt. Adair -	Severely.	Gun shot wound through the hand.
3	„ Jno. Smith - -	Severely.	Gun shot wound in the thigh.
4	„ Felix Boyle -	Severely.	Gun shot wound in the nose.
5	„ Wm. Butwell -	Very severely.	Compound fracture of the arm.
6	„ Timothy Galvin -	Severely.	Gun shot wound in the neck and ear.
7	„ Wm. French -	Severely.	Gun shot wound in the hip.
	40TH REGIMENT.	Killed.	
1	Private Michl. Roney -	- - -	Gun shot wound through the head.
		Wounded	
1	Captain H. C. Wise - -	Dangerously.	Flesh wound on the right thigh; gun shot wound through head of tibia and fibula. (Since dead.)
1	Private John Bryne -	Severely.	Flesh wound in neck and leg.
2	„ Henry Collis -	Slightly.	Gun shot wound in the side.
3	„ Wm. Juniper -	Severely.	Compound fracture of the leg by gun shot.
4	„ Bernard O'Donnell	Severely.	Gun shot wound in the neck.
5	„ Joseph Wall - -	Mortally. Since dead.	Pike wound in the lower part of abdomen.
6	„ Patrick Sullivan -	Slightly.	Gun shot wound in the arm.

(Signed) J. W. THOMAS,
Captain Commanding Troops at Ballarat.

Encl. 8 in No. 7.

Enclosure 8 in No. 7.

SIR, Camp, Ballarat, December 4, 1854.

I HAVE not felt it incumbent on me to report to you every day, as the despatches of the Resident Commissioner will have made his Excellency the Lieutenant Governor acquainted with the events that have occurred since the date of my last letter; nor do I consider it necessary to enter into the details of the engagement which took place yesterday morning, which are fully given in Captain Thomas' report to the Major General, a copy of which you will no doubt have received.

Gross misrepresentations, however, having been made with regard to this affair in some of the public papers, I think it proper to state that I am able positively to affirm, from my own personal knowledge, that the insurgents fired upon us from their entrenchments, without warning or challenge, before a single shot was fired either by the troops or the police.

For several days previously this gold field had been in a state of open and undisguised rebellion. The insurgents were constantly parading in large bodies under arms, and carrying on a systematic search for arms, horses, saddles, provisions, &c., which they took away without payment, giving in some instances receipts in the name of the "Commander-in-Chief of the Diggers under Arms." All work was at an end, the rebel leaders having given notice to the miners that any one working without special permission from them would be shot.

Since their camp was stormed, the aspect of affairs has completely changed. Shortly after the engagement I rode up (accompanied by Mr. Commissioner Amos) to the scene of action, to ascertain whether there were any unclaimed dead or wounded. I found there a crowd of several hundred persons, apparently unarmed, from some of whom I learned that there were about half a dozen dead and three wounded insurgents still lying on the

ground. I promised to send up medical assistance, and to have the dead removed and buried, at which they appeared to be gratified.

On my return to the camp this was done, and the dead were buried at the cemetery. Two soldiers who were killed were also buried there. A large number of persons assembled to witness the funerals, some of whom volunteered to assist in filling the soldiers' graves.

A feeling of relief appeared to pervade the whole population at finding themselves suddenly released from the reign of terror which had been established by the insurgents. Both troops and police have behaved remarkably well throughout the whole of these disturbances.

Although quiet and order have been to a great degree restored, (the miners having most resumed work, and many licences having been issued to-day,) the vigilance of the garrison has not been relaxed, nor would it be safe to do so until the arrival of reinforcements shall have rendered an attack on the camp utterly and clearly hopeless.

In order that the authority of the Government may be completely and permanently re-established, it will be necessary most vigorously to follow up the blow that has been struck, by thoroughly rooting out and dispersing the remnant of the rebels' party. The force that will be at the disposal of the Major General will, I have no doubt, be amply sufficient for this purpose. On this subject I quite concur in the views expressed by the Resident Commissioner (of this day), the contents of which he has been kind enough to communicate to me.

I have, &c.

The Hon. the Colonial Secretary. (Signed) C. Pasley.

Enclosure 9 in No. 7.

Encl. 9 in No. 7.

Sir, Ballarat, December 3, 1854.

I have the honour to inform you that in consequence of the Eureka Camp having been taken possession of by the rioters last night and Mr. Amos taken prisoner (he was released in a short time) and robbed of his horse, it was decided they should be dislodged from their entrenched camp; this morning a force of 240 men, consisting of cavalry, infantry, and police, accompanied by Captain Pasley and three magistrates, Mr. Hackett, P.M., Mr. Commissioner Amos, and Mr. Webster, marched to the spot; but before they could call on them to surrender they were fired at, and one man of the 40th Regiment was killed. The firing then became general; the stockade was well defended, and sufficiently strong to prevent cavalry getting in. The stockade was carried in about ten minutes, and 125 prisoners made; I regret to state that two men of the 40th Regiment were killed, Captain Wise of the 40th dangerously, and Lieutenant Paul of 12th seriously wounded; several of the 40th more or less wounded.

Captain Thomas, who commanded, reports most highly of the conduct of the troops and police. The insurgents had been for the last two days stopping the roads, taking all the horses they could lay their hands on, and making men work at their entrenchment. They robbed the stores of arms, ammunition, and provisions, and the last outrage committed on a Government camp decided us to put a stop at once to this of anarchy and confusion.

There is a large number of killed on the side of the rioters, but I am not in a position to say how many.

I have the honour to request that instructions may be sent up as soon as possible as to the disposal of the prisoners.

I have, &c.

The Chief Commissioner of Gold Fields, Melbourne. (Signed) R. Rede, Resident Commissioner.

Sir, Camp, Ballarat, December 3, 1854.

I have the honour to report to you, for the information of his Excellency the Lieutenant-Governor, that I was this morning called upon by the Resident Commissioner and Captain Thomas to accompany the military and police who were ordered out to dislodge a large number of rioters who were strongly entrenched in a camp at Eureka on the main road to Melbourne.

The force started at day dawn; but I had no opportunity of calling upon the people to disperse, as the first certainty we had of their exact position was by a volley of musketry being poured in upon us. The troops returned the fire; and after an obstinate resistance, which lasted about ten minutes, the entrenchment was carried, not, I regret to say, without a heavy loss of life, both upon the part of Her Majesty's forces and the rioters. Full particulars are being prepared for his Excellency by the Resident Commissioner.

When the stockade was carried, a large number of prisoners was made. I shall anxiously await his Excellency's instructions as to their disposal.

The reporter of the Ballarat Times was amongst the prisoners made in the stockade.

I have, &c.

The Hon. the Colonial Secretary, Melbourne. (Signed) Charles P. Hackett, Stipendiary Magistrate.

VICTORIA.

Encl. 10 in No. 7.

Enclosure 10 in No. 7.

Government Gazette Extraordinary, December 4, 1854.

Martial law declared in the district of Buninyong.

PROCLAMATION

By his Excellency Sir CHARLES HOTHAM, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor of the Colony of Victoria, &c. &c. &c.

WHEREAS bodies of armed men have arrayed themselves against Her Majesty's forces and the constituted authorities, and have committed acts of open rebellion: and whereas for the effectual suppression thereof it is imperatively necessary that martial law should be administered and executed within the limits herein-after described: now I the Lieutenant-Governor of the said colony, with the advice of the Legislative Council thereof, do hereby command and proclaim that martial law from and after twelve of the clock at noon on Wednesday, the sixth day of December instant, shall and may be administered and executed against every person and persons within the said limits who shall at any time after the said hour commit any act of rebellion, any treason, treasonable or seditious practices, or other outrage or misdemeanor whatsoever within the following limits, that is to say: commencing at the junction of the Yarrowee river and Williamson's creek, thence by a straight line to the junction of the Lal Lal rivulet with the Moorabool river; thence by that river to its source in the great dividing range; thence by that range to the boundary of the county of Ripon, and by that boundary south-westerly to the township of Carngham, at Bailie's creek; thence by a line south-easterly to the junction of the river Yarrowee with Williamson's creek aforesaid: and I do hereby, with the advice aforesaid, order and authorize all officers commanding Her Majesty's Forces to employ them with the utmost vigour and decision for the immediate suppression of the said rebellion and offences, and to proceed against and punish every person and persons acting, aiding, or in any manner assisting in the said rebellion and offences, according to martial law, as to them shall seem expedient for the punishment of all such persons: and I do hereby especially declare and proclaim, that no sentence of death shall be carried into execution against any such person without my express consent thereto; and I do hereby, with the advice aforesaid, notify this my proclamation to all subjects of Her Majesty in the colony of Victoria.

Given under my hand and the seal of the colony, at Melbourne, this fourth day of December, in the year of our Lord One thousand eight hundred and fifty-four, and in the eighteenth year of Her Majesty's reign.

CHAS. HOTHAM.

(L. S.) By his Excellency's Command,

JOHN FOSTER.

God save the Queen.

Prohibition of Arms and Supplies.

PROCLAMATION

By his Excellency SIR CHARLES HOTHAM, Knight Commander of the Most Honorable Military order of the Bath, Lieutenant-Governor of the colony of Victoria, &c. &c. &c.

WHEREAS by a proclamation bearing date the fourth day of December, in the year of Our Lord One thousand eight hundred and fifty-four, martial law was proclaimed to be in force from and after the hour of twelve o'clock at noon on Wednesday, the sixth day of DecemberOne thousand eight hundred and fifty-four within the following limits, that is to say: commencing at the junction of the Yarrowee river and Williamson's creek, thence by a straight line to the junction of the Lal Lal rivulet with the Moorabool river; thence by that river to its source in the great Dividing Range; thence by that range to the boundary of the county of Ripon, and by that boundary south-westrely to the township of Carnghan, at Bailie's creek; thence by a line south-easterly to the junction of the Yarrowee with Williamson's creek aforesaid: now therefore I, SIR CHARLES HOTHAM, the Lieutenant-Governor aforesaid, do hereby proclaim and declare that no arms, ammunition, munitions of war, food or supplies, shall from and after the said last-mentioned day be brought, without my consent, within the limits aforesaid; and I do hereby notify the same to all subjects of Her Majesty in the colony of Victoria.

Given under my hand and the seal of the colony, at Melbourne, this fourth day of December, in the year of our Lord One thousand eight hundred and fifty-four, and in the eighteenth year of Her Majesty's reign.

(L. S.) CHAS. HOTHAM.

By his Excellency's Command,

JOHN FOSTER.

God save the Queen.

Enclosure 11 in No. 7.

Encl. 11 in No. 7.

SIR, Government Offices, Melbourne, December 4, 1854.

I DO myself the honour to transmit an account of an outbreak at Ballarat, which has assumed a character beyond that of an ordinary riot, and rendered it necessary for me to direct the Major General to move all his available force to that gold field.

The insurgents are principally foreigners, well drilled, and said to be well commanded; they have been as you will perceive completely routed, and may I hope now be discouraged from assembling again in force; but with the numerous gold fields and the uncertain population which inhabit them, it is impossible to say from hour to hour whether disaffection may not show itself in some other quarter.

And I am therefore obliged to request that you will allow as many companies of the 99th regiment as can be spared, to proceed to Melbourne forthwith, bringing with them any available field pieces.

I regret official despatches from Ballarat not having arrived, I am led to fear they have been interrupted, but I see no reason to doubt the truth of the accompanying statement.

The conduct of the insurgents is the less to be upheld, inasmuch that they were aware that a commission had been named, composed of gentlemen favourable to the mining interests, for the avowed purpose of inquiring into the whole administration of law on the gold fields, but instead of waiting for the report, they flew to arms, because I refused to release the three prisoners who had been convicted of taking part in burning the Eureka Hotel.

I have, &c.

His Excellency Sir W. Denison, (Signed) CHAS. HOTHAM
&c. &c. &c.

Enclosure 12 in No. 7.

Encl. 12 in No. 7.

VOTES and PROCEEDINGS of the LEGISLATIVE COUNCIL, No. 44.

Thursday, December 7, 1854.

1. Council met pursuant to adjournment.—The Speaker took the chair.
2. Presentation of Address to the Governor.—On the motion of Mr. Miller, the Council proceeded to the Government offices, there to present to his Excellency the Lieutenant-Governor their address of sympathy and support. The Council having returned, the Speaker reported that the Council had proceeded to the Government offices, and there presented to his Excellency the Lieutenant-Governor their address of sympathy and support, and that his Excellency had been pleased to make thereto the following answer:—

HIS EXCELLENCY'S REPLY.

MR. SPEAKER AND GENTLEMEN,

IT is with no small pride and satisfaction that, at a moment of unusual difficulty, the Legislative Council of Victoria have assembled themselves around the Governor, and enabled him to proclaim to the world that, with one voice, and one mind, and one heart, we are resolved to maintain the law. I assure you, gentlemen, that my utmost endeavours have been used to stave off and to prevent the difficulty which has arisen, but is now, I am thankful to say, rapidly disappearing.

I am desirous, if you will grant me time, to touch upon some points, in order to show to you that my words are not lightly uttered, nor spoken without some consideration.

Before the deputation came from the gold fields, the Eureka riot broke out, and the burning of the Eureka Hotel ensued. Immediately the information of the discharge of Bentley and the other man was sent to the Attorney-General he saw that the authorities had taken the wrong course, and he came out post-haste to Toorak, and recommended most strongly that the men who had been prisoners should be again brought to trial. We had then received no representation of any sort or kind from the diggers of Ballaarat. Immediately instructions were sent down to bring Bentley and his associates to trial, and shortly after that we heard that the fire had taken place at the Eureka Hotel.

Mr. Speaker and Gentlemen, I wish to establish the fact, that the Government had given orders to inquire into the manner in which the former trial had been conducted before any representation from the diggers of Ballaarat had been received, and before any violence had ensued.

Of the trial of the men engaged in the burning of the hotel I shall say but little, excepting to observe that the sentence was most lenient.

There were reasons which induced us to imagine that the conduct of the authorities at Ballaarat had not been entirely what it ought to have been, and a commission was sent down with stringent instructions to inquire into the whole case, and to bring the offenders, of whatever degree they might be, prominently to notice. The result of that inquiry was, that the magistrate was dismissed, the serjeant-major was also dismissed (or rather will be placed under punishment and then be dismissed), and that the coroner was most severely

reprimanded for some injudicious expressions which he made use of. Now, Mr. Speaker and Gentlemen, I do not think that that shows there was a Government in power which was unwilling to listen to the voice of the people.

The commission returned, the military were withdrawn, and there was every probable appearance of order and tranquillity at those diggings, when suddenly we found it necessary to send down an overwhelming force, in consequence of the reports we received from Ballaarat. The camp was threatened, and reports reached us that the camp was not safe an hour, and then the time arrived when it became absolutely necessary that some vigorous steps should be taken, and a decisive blow be struck. With regard to the opinion which I formed of the manner in which the authorities acted. I shall allow my own Despatches to speak for themselves.

" SIR, " December 5, 1854.

" I AM commanded by the Lieutenant-Governor to inform you, that he has perused your Despatch, dated 3d December 1854, to the Chief Commissioner of Gold Fields.

" Since the period when his Excellency deemed it necessary to strengthen the military detachment up to the present moment, his Excellency has had every reason to be satisfied with the conduct of the officers and men belonging to the Ballaarat Gold Fields.

" His Excellency considers that you exercised a sound and wise discretion in attacking the insurgents, instead of waiting until they were the aggressors, for thereby you destroyed the prestige which invariably attaches itself to the force which obliges its opponents to maintain its position, whilst the resources of the country are at the disposal of the former.

" His Excellency desires me to convey to all the officers and men, civil and military, his thanks for their zeal and ability, and especially to Captain Thomas, the officer commanding, for the disposition of his small force.

" Until the arrival of the Major General the prisoners must be kept at Ballaarat. You will of course take such measures as will preclude the possibility of their escape. Evidence should be taken against them for having seditiously and treasonably met and opposed Her Majesty's forces; and they should be committed to Melbourne to take their trial at such sessions of the Supreme Court as the Attorney General may appoint.

" A proclamation has issued directing martial law to be enforced, but this will not affect prisoners who committed offences prior to the 6th December, nor supersede the administration of justice, save so far as such administration may interfere with the execution of martial law. The prisoners should be transmitted to Melbourne as soon as the Major General considers sufficient force for their safe escort can be spared.

" Although martial law has been declared, you are to use every exertion to apprehend all the speakers who took part at the meeting when the licences were burnt, to which effect similar instructions have been sent to all the other gold fields; but the warrants must of course emanate from you, and be despatched to Castlemaine, to be from thence forwarded as the Resident Commissioner may deem advisable.

" The Lieutenant-Governor having expressed his satisfaction at the course which the authorities have pursued, and the success they have obtained in upholding law and order, deems it his duty to call the particular attention of all the authorities to the exercise of moderation and forbearance; for, as it was incumbent upon him and them to support the law, so will the public voice ultimately be heard, according to the mode in which the subsequent proceedings are conducted.

" This letter is of course to be communicated to the Major General commanding.

" I have the honour to be,
" Sir,
" Your most obedient servant,
(Signed) " JOHN FOSTER.

" The Resident Commissioner, Ballaarat."

" SIR, " December 6, 1854.

" IN compliance with his Excellency's instructions, I yesterday called your attention to the necessity of enjoining upon all under your control the propriety of forbearance, caution, and temper towards the mining population.

" I am again to repeat to you, that his Excellency desires that the utmost moderation be shown.

" Instructions will be sent to you directing you how to act concerning the disposal of the prisoners.

" I have the honour to be,
" Sir,
" Your most obedient servant,
(Signed) " J. MOORE,
" Assistant Colonial Secretary.

" The Resident Commissioner, Ballaarat."

In consequence of the receipt of the following Despatch, which I will read to you, Mr. Speaker and Gentlemen, martial law is to cease on Saturday next at twelve o'clock:—

"Head Quarters, Ballaarat,
"December 5, 1855.

"SIR,

"I HAVE the honour, by direction of the Major-General, to inform you, for the information of his Excellency the Lieutanant Governor, that the troops under his command, guns, &c., arrived here at two o'clock p.m. to-day, having left Ballan at two o'clock this morning.

"The men arrived in first-rate order, and there was not the slightest expression of feeling during our progress through the centre of the diggings. Everything here appears quiet.

"The Major-General has, of course, had no time to form any opinions.

"He acknowledges receipt, on his route this morning, of his Excellency's Despatch enclosing the Proclamation.

"Captain Thomas reports an exchange of shots with some of the sentries last night, but nothing of importance.

"I have the honour to be,
"Sir,
"Your obedient servant,
(Signed) "WILLIAM F. A. WALLACE,
"Grenadier Guards,
"A. M. Secretary.

"The Honourable the Colonial Secretary."

I was anxious to have those Despatches read, to show that whilst on the one hand we have endeavoured to the utmost of our power to uphold law and order, yet the very moment it was feasible we revert to the original state of things; and martial law, which is repugnant to every Englishman, and especially so to every colonist, will cease as soon as possible, and I most anxiously hope that there may not be again occasion to revert to it. I see no probability at the present moment of there being any necessity for the employment of military force on any of the other gold fields. On the contrary, a very peaceable and orderly feeling, according to the accounts which we are receiving, appears to exist at Bendigo, Castlemaine, and elsewhere. I have received a petition from the diggers at Forest Creek, which I am anxious to show, and which I will also read an extract from:—

"Your Excellency will be pleased to observe, that this is the only place where there has been no kind of disturbance, and has at all times been orderly kept by the diggers, although the population has been great at different times, and the diggers also have been and are obedient to the authorities placed over them."

That petition is signed by 1,300 diggers.

My constant endeavour whilst at the head of this Government will be, assisted by the Speaker and gentlemen of the Legislative Council, who now come forward so handsomely, to conduct the administration of this country with the utmost possible temperance. I am satisfied that the time for military law and rule by violence has gone never to be recovered, and it ought not to be recovered. But, Gentlemen, the moment there is an outbreak, and that caused, not by Englishmen, but caused by foreigners—men who are not suffered to remain in their own countries in consequence of the violence of their characters and the deeds they have done—I for one say that, whenever that happens, the Englishmen of Victoria must rally round the Government, and must to a man sink their minor differences and forget the causes of difference which to Englishmen are inherent, and which to a certain extent are the blessings of our Constitution, and must rally round the authorities, liking or disliking them, and put that outbreak down. As long as I am at the head of the Government here I will endeavour to prevent these foreigners agitating to disturb the good order which generally exists in Victoria, and preventing the honest and industrious portion of the population from continuing at their work.

Mr. Speaker and Gentlemen, the resolution passed yesterday, and particularly the remarkably able tone of the debate upon the question last night, will be heard throughout Australia, and will show that the colonists will not suffer anarchy and confusion to reign here; that we will maintain law and order; and be the men that endeavour to create disturbance who they may, and from whatever countries they may come, down they shall be put. But, at the same time, we will to the utmost of our power endeavour to redress any grievances that may exist; and by appointing a Commission, as I have done, I show that I fully believe there is some cause of grievance, or I should not have appointed it. We will redress all grievances if possible, maintain order, and keep prominently before us the fact that our endeavors will meet with their reward in the way that the Legislative Council and the Speaker at their head have shewn.

Mr. Speaker and Gentlemen, I most cordially thank you for your expression of feeling; and I hope from the bottom of my heart that whatever circumstances may arise, I may not be found wanting.

Thanks of the Council to Military.—Adopted on the 5th December, 1854, on the motion of Mr. Fawkner;

and that his Excellency had, in reply to such Address, been pleased to state that he would

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at the earliest opportunity convey the thanks of the House therein contained to the Major General commanding Her Majesty's Forces, to be by him communicated to the Officers and Men more especially alluded to. The Lieutenant Governor fully concurred in the commendations bestowed by the Legislative Council on this occasion.

Postal Communication with the United Kingdom.—Adopted on the 5th December 1854, on the motion of the Collector of Customs;

and that his Excellency had, in reply to such Address, been pleased to state that the decision of the Legislative Council should be communicated to the Home Government, and it only remained for the Legislative Council to give legal sanction to their resolution by passing the Bill transmitted to the Council.

Encl. 13 in No. 7.

Enclosure 13 in No. 7.

Government Gazette Extraordinary, December 6, 1854.

Martial Law in the Buninyong District revoked from 9th December.

PROCLAMATION

By his Excellency Sir CHARLES HOTHAM, Knight Commander of the Most Honourable Military Order of the Bath, Lieutenant Governor of the Colony of Victoria, &c. &c. &c.

WHEREAS by a Proclamation under the hand of the Lieutenant Governor of the Colony of Victoria and under the seal of the said colony, bearing date the fourth day of December, A.D. 1854, reciting amongst other things that bodies of armed men had arrayed themselves against Her Majesty's forces and the constituted authorities, and had committed acts of open rebellion, it was commanded and proclaimed that from and after twelve of the clock at noon on Wednesday, the sixth day of the said month of December, martial law should and might be administered and executed against every person and persons within the limits therein-after described, and which limits included the gold fields of Ballaarat, who should at any time after the said hour commit any act of rebellion, any treason, treasonable or seditious practices, or other outrage or misdemeanor whatever within the said limits.

And whereas information has been received from the General Officer commanding Her Majesty's forces within the said limits, that the population engaged on the said gold fields have returned to their usual avocations, and the commission of the said offences having been suppressed, it is therefore expedient that the said recited proclamation should, from the time herein-after mentioned, be revoked.

Now I, the Lieutenant Governor of the said colony, with the advice of the Executive Council thereof, do hereby declare and proclaim that from and after the hour of twelve of the clock at noon on Saturday, the ninth day of December, now instant, the said recited proclamation shall be, and the same is hereby revoked; and I do hereby, with the advice aforesaid, notify this my proclamation to all subjects of Her Majesty in the said Colony of Victoria.

Given under my hand and the seal of the Colony, at Melbourne, this sixth day of December, in the year of our Lord One thousand eight hundred and fifty-four, and in the eighteenth year of Her Majesty's reign.

(L.S.) CHAS. HOTHAM.

By his Excellency's command,
JOHN FOSTER.

God save the Queen!

Encl. 14 in No. 7.

Enclosure 14 in No. 7.

Government Gazette Extraordinary, December 4, 1854.

NOTICE.

RECENT events at the mines at Ballaarat render it necessary for all true subjects of the Queen, and all strangers who have received hospitality and protection under Her flag, to assist in preserving social order and maintaining the supremacy of the law.

The question now agitated by the disaffected is not whether an enactment can be amended or ought to be repealed, but whether the law is or is not to be administered in the name of Her Majesty. Anarchy and confusion must ensue unless those who cling to the institutions and the soil of their adopted country step prominently forward.

His Excellency relies upon the loyalty and sound feeling of the colonists.

All faithful subjects, and all strangers who have had equal rights extended to them, are therefore called upon to enrol themselves and be prepared to assemble at such places as may be appointed by the civic authorities in Melbourne and Geelong, and by the magistrates in the several towns of the colony.

CHAS. HOTHAM.

Melbourne, December 4, 1854.

Enclosure 15 in No. 7.

Encl. 15 in No. 7

THE NEW CONSTITUTION!

And order of things to be adopted this memorable 6th December 1854, by the Residents of Victoria, &c.

1. All taxes and imposts of every kind which bear upon labour or provisions, luxuries, or any article whatsoever, to be abolished; the custom-house to be converted into an office of marine registry, and all persons in it to be preferred to such vacancies in the general government as may hereafter be open, if the offices are suitable.

2. All sums of money required for the maintenance of the Government to be levied upon property, real and chattel, and upon the absentee proprietors of Victorian property; the latter to be taxed at the rate of 75 per cent. upon the ascertained income remitted.

3. Every male between 16 and 60 years of age to be at once enrolled as citizen soldiers; each man to provide and bear arms and ammunition, elect officers, enrol in companies, and attend drill once a week to protect life and property.

3. A new electorial constitution to be at once formed, and all property qualification in the elector and elected to be abolished. Two Houses of Legislation to be erected: the one to represent the bulk of the people; the second to be a small assembly—an elected Senate. Every 5,000 inhabitants to return two members of the Lower House, and one of the Senate: all to be elected on the one day all over the colony. A convention, based on these principles, to be held as soon as possible. All headlands commanding the harbours of Melbourne and Geelong to be immediately fortified, and floating batteries to be immediately constructed for the harbours, for which purpose one of the public foundries to be hired to cast long-range cannon of the necessary calibre for the defence of the colony from any external attack. Powder mills also immediately established, and a premium offered for saltpetre, charcoal, sulphur, and other such material. A mint to be forthwith established.

4. The Government to be prohibited from borrowing any money at interest, but to forthwith issue notes of one pound each, received in payment of the Property Tax, which should be immediately established. All bygones between the people and the persons who may have become obnoxious to the people as public officers to be forgotten and forgiven, and a general amnesty to be established. All officers and privates of the army or police now in service to be immediately provided for by one month's pay, and land in fee for ever, at the rate of one hundred acres to the lowest private, and an increased grant to non-commission officers and those in commission, providing all such persons actually settle down upon their grants and cultivate the same. Such as may be required to keep up merely a staff of instructors to be retained on pay in the public service. A military college to be forthwith established.

5. All land of the colony, not actually purchased and paid for, to be leased to bonâ fide cultivators in farms of 250 acres each, at a nominal rent, and the right of purchase reserved to the occupier within the period of seven years, at the rate of seven years' rent. The interest of squatters to be regarded, and an honest commission of disinterested men to be appointed, who shall be sworn to adjudge compensation to squatters, whose lands shall be required by the people.

6. All private property to be held and protected by the citizen soldiers. All taxes on digging land, quarrying stone, making bricks, digging gold, silver, copper, coal, or, in short, any other mineral, or upon the imports or exports of any kind of goods whatsoever, to be totally and for ever abolished.

7. A provisional directory of twelve to be appointed this day, to carry out those general principles in the most peaceful manner.

God save our Queen, Victoria!

Enclosure 16 in No. 7.

Encl. 16 in No. 7.

ADDRESS of the Speaker and Members of the Legislative Council.

To his Excellency Sir Charles Hotham, Knight, Commander of the Most Honourable Military order of the Bath, Lieutenant Governor of the Colony of Victoria, and its Dependencies, &c. &c. &c.

May it please your Excellency,—

WE, Her Majesty's most dutiful and loyal subjects, the members of the Legislative Council of Victoria, in Council assembled, beg respectfully to convey to your Excellency the following resolution of the Council passed unanimously:—

Resolved,—That the Lieutenant Governor having been placed in a painfully embarrassing position since his arrival in Victoria, is entitled to the sympathy and support of this Council, and it pledges itself, by every means in its power, to aid him in restoring and maintaining law and order.

(Signed) J. F. PALMER,
Speaker.

VICTORIA.

Encl. 17 in No. 7.

Enclosure 17 in No. 7.

ADDRESS of the Mayor and Town Council of Melbourne.

To his Excellency Sir Charles Hotham, K.C.B., Lieutenant Governor of the Colony of Victoria and its Dependencies.

May it please your Excellency,

WE, the Mayor, Aldermen, Councillors, and Citizens of the city of Melbourne, in Council assembled, desire to convey to your Excellency the assurance of our sympathy with your Excellency in the position in which your Government has been placed by the recent disturbances at Ballarat, and to assure your Excellency of our cordial attachment to the Throne, our respect for Her Majesty's representative in the person of your Excellency, and of our determination to support your Excellency in maintaining the supremacy of the law, and in carrying into effect such measures as may be devised for the restoration and permanent preservation of peace and order in the community.

(Signed) J. T. SMITH,
Mayor.

Encl. 18 in No. 7.

Enclosure 18 in No. 7.

To Sir Charles Hotham, K.C.B., Lieutenant Governor of Victoria and its Dependencies, &c. &c. &c.

May it please your Excellency,

WE, the undersigned Squatters in Victoria (now in Melbourne), and representing, as we believe, the views of our body, regard with feelings of profound regret the aspect which matters have assumed at Ballarat, and the position in which the Executive Government have been forced by the intrigues of a few designing and unscrupulous men; yet we confidently believe no general spirit of insubordination or disaffection to pervade the great mass of the digging population in that locality.

We would tender to your Excellency our cordial support, and our entire confidence in the prompt and energetic measures taken by the Lieutenant Governor for the preservation of order and the maintenance of the law, and record our sanguine hopes that those measures may have the effect of accomplishing the object for which they were adopted.

We would embrace this opportunity of conveying to your Excellency, and through your Excellency to Her Majesty, the feelings of loyalty, devotion, and attachment to our beloved Queen which pervade all classes of the squatting community in this colony.

In conclusion, we would now, or any future period (on our own behalf), cheerfully place our services at the disposal of your Excellency, and your Excellency may with confidence rely on the support of the pastoral interests in Victoria in all measures having for their object the maintenance of law, and the preservation of the community from social disorganization.

(Signed)

W. Firlong.	A. Macarthur.
C. H. Lyon.	John Peter.
John Capel.	John Earfield.
Henry Prieson.	R. F. Greene.
J. Sutherland.	Peter Snodgrass.
Lloyd Jones.	A. H. Willson.
T. A. Brown.	Henry Campbell.
Wm. Hamilton.	Matthew Hervey.
Wm. Snow Clifton.	Chas. H. Hughes.
Wm. F. Green.	A. M. L. Hunter.
Colin Campbell.	R. B. Hollyson.
John Barker.	Wm. Degraves.
G. W. P. Lesailly.	Wm. Furlong.
R. J. Allegue.	C. Anderson.
G. B. Firebrace.	Wm. Mitchell.
Wm. Broughton.	

Encl. 19 in No. 7

Enclosure 19 in No. 7.

ADDRESS of the Bankers, Merchants, Landowners, Tradesmen and others.

To his Excellency Sir Charles Hotham, Knight, Commander of the most Honourable Military Order of the Bath, Lieutenant Governor of the Colony of Victoria.

WE, the undersigned Bankers, Merchants, Landholders, Tradesmen and others residing in the city of Melbourne and its vicinity, desire at this critical conjuncture to approach your Excellency with the assurance of our loyal devotion to the person and authority of Her most Gracious Majesty the Queen, and of our determination to support your Excellency

as the representative of our Sovereign in this colony in every measure calculated to arrest the progress of confusion and to restore to the community the inestimable blessing of social tranquillity. Deeply sympathising with your Excellency in the multiplied difficulties and in the anxious responsibilities of your present position, we beg to express our very sincere confidence that your Excellency is aminated by a single mindedness of desire and of purpose to accomplish every practicable reform of ascertained defects or abuses, and to introduce all possible improvements into the general administration of the affairs of the colony whose government has been recently committed to your charge.

We therefore consider it to be our bounden duty, both as loyal subjects of our most Gracious Sovereign Queen Victoria, and as being deeply interested in the character and in the happiness of this highly favoured land of our adoption, to rally around your Excellency in the present emergency, and to place ourselves, our services, and our influence unreservedly at your Excellency's disposal, for the maintenance, to the utmost of public order, the repression of violence, and the upholding of the paramount authority of existing law.

(Signed) Thos. P. a'Beckett. John Runnell.
William Hull. E. L. Montefiore.
C. Hutton. W. Hamilton Hart.
Chas. Falconer. James Smith.
Jacob Montefiore. C. Flaxman.
James Simpson.

And 389 other signatures appended.

No. 8.

No. 8.

Copy of a DESPATCH from Governor Sir Charles Hotham to the Right Hon. Sir George Grey, Bart.

(No. 2.)

Toorac, near Melbourne, January 5, 1855.
(Received March 17, 1855.)

Sir,

I have the honour herewith to transmit a comparative statement of the revenue of this colony, received into the Colonial Treasury during the quarters and years ended 31st December 1853 and 31st December 1854 respectively.

I have, &c.
(Signed) CHARLES HOTHAM.

The Right Hon. Sir George Grey,
&c. &c. &c.

Enclosure in No. 8.

COMPARATIVE STATEMENT of the R venue of the Colony received into the Colonial Treasury during the Quarters an Years ended 1st December 1853 and 31st December 1854 respectively.

HEAD OF REVENUE.	Quarter ended 31st Dec. 1853.	Quarter ended 31st Dec. 1854.	Year ended 31st Dec. 1853.	Year ended 31st Dec. 1854.	Increase. Upon the Quarter ended 31st Dec. 1854.	Increase. Upon the Year ended 31st Dec. 1854.	Decrease. Upon the Quarter ended 31st Dec. 1854.	Decrease. Upon the Year end 31st Dec 1854.
General Revenue.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s.
Gold - Proceeds of Gold Licences -	131,727 19 7	135,877 13 9	660,833 11 5	395,402 19 7	4,149 14 2	- - -	- - -	265,430 11
Gold - Escort Fees - -	15,373 4 6	14,232 0 2	52,439 1 0	56,657 12 4	- - -	4,218 11 4	1,141 4 4	
Gold - Treasury and Custody Fees -	2,749 11 5	1,347 10 5	7,542 6 2	5,506 7 1	- - -	- - -	1,402 1 0	2,035 19
Gold - Other Gold Revenues - -	- - -	- - -	- - -	101 17 10	- - -	101 17 10		
Customs - Duties on spirits - - -	249,927 11 7	153,869 2 9	561,317 11 7	511,661 1 8				
Customs - Duties on tobacco - -	49,530 8 4	38,140 6 3	118,869 5 9	126,833 16 5				
Customs - Duties on wine - - -	11,660 4 8	22,863 7 7	38,661 14 2	80,503 1 1				
Customs - Duties on beer, &c. - -	- - -	22,666 14 6	- - -	76,443 16 5				
Customs - Duty on tea - - - -	8,565 10 3	10,185 5 0	40,835 5 0	44,886 10 5				
Customs - Duty on coffee and chicory -	5,333 10 6	2,869 2 0	13,790 0 5	11,461 4 3				
Customs - Duty on cigars - - -	- - -	398 16 3	- - -	398 16 3				
Customs - Duty on sugar - - -	- - -	658 0 5	- - -	658 0 5				
Customs - Duty on molasses and treacle	- - -	8 17 0	- - -	8 17 0				
£	325,017 5 4	251,659 11 9	773,473 16 11	852,855 3 11	- - -	79,381 7 0	73,357 13 7	
Fees on registration of bonded warehouses	- - -	2,100 0 0	- - -	5,600 0 0	2,100 0 0	5,600 0 0		
Port and harbour dues - - -	4,922 14 10	27,707 3 4	15,672 11 1	47,488 16 3	22,784 8 6	31,816 5 2		
Postage - - - - -	8,421 7 2	19,944 17 3	25,733 12 11	66,949 4 7	11,523 10 1	41,215 11 8		
Auction duty - - - - -	0 12 4	- - -	3,456 1 1	- - -	- - -	- - -	0 12 4	3,456 1
Assessment on stock - - - -	4 19 0	1,800 9 1	59 5 3	62,850 3 7	1,795 10 4	62,790 18 4		
Licences - To auctioneers - -	3,484 7 0	3,473 7 4	6,440 6 10	12,167 2 8	- - -	5,726 15 10	10 19 8	
Licences - For the sale of fermented and spirituous liquors - -	1,514 5 0	12,718 4 8	13,990 16 8	123,494 10 8	11,203 19 8	109,503 14 0		
Licences - Night licences to publicans and for billiard tables - -	210 0 0	400 0 0	1,070 0 0	1,560 0 0	190 0 0	490 0 0		
Licences - All other licences - -	466 10 0	651 8 2	755 14 6	2,424 15 8	184 18 2	1,669 1 2		
Fines and Forfeitures. Collected by the sheriff -	690 0 0	1,076 14 0	1,952 3 4	4,127 9 0	386 14 0	2,175 5 8		
Fines and Forfeitures. Collected by the court of general sessions - - -	15 0 0	10 0 0	70 0 0	186 17 0	- - -	116 17 0	5 0 0	
Fines and Forfeitures. Collected by the several county courts - - - -	- - -	20 0 0	- - -	61 0 0	20 0 0	61 0 0		
Fines and Forfeitures. Collected by the several courts of petty sessions -	8,605 14 9	7,695 13 5	28,910 14 9	29,950 16 3	- - -	1,040 1 6	910 1 4	
Fines and Forfeitures. Police reward fund -	6,609 4 6	4,651 15 6	13,705 11 0	21,103 9 2	- - -	7,397 18 2	1,957 9 0	
Fines and Forfeitures. Crown's share of seizures by the customs - - -	511 13 1	456 3 9	683 11 4	1,196 4 6	- - -	512 13 2	55 9 4	
Fines and Forfeitures. Proceeds of the sale of confiscated and unclaimed property	973 6 3	2,859 4 5	2,229 12 3	5,901 3 9	1,885 18 2	3,671 11 6		
Fees - Of civil offices - -	1,422 16 0	2,505 6 9	4,985 7 0	7,931 18 0	1,082 10 9	2,946 11 0		
Fees - Of the courts of general sessions - - - - - -	0 14 0	1 0 6	0 14 0	6 17 8	0 6 6	6 3 8		
Fees - Of the several offices of the supreme court - -	4,431 3 9	9,586 16 1	12,734 9 4	30,288 9 9	5,155 12 4	17,554 0 5		
Fees - Of the courts of requests and county courts - -	651 4 10	2,588 2 0	1,748 11 0	7,151 13 6	1,936 17 2	5,403 2 6		
Fees - Of the several courts of petty sessions - - -	592 18 4	587 8 10	1,799 11 2	2,263 17 6	- - -	464 6 4	5 9 6	
Passengers' Rates - - - - -	3,256 15 0	4,062 0 0	9,050 10 0	16,241 5 0	805 5 0	7,190 15 0		
Rents - - - - - -	465 4 6	118 15 3	2,125 1 7	1,433 2 0	- - -	- - -	346 9 3	691 19
Reimbursements in aid of expenses incurred by Government - - -	2,047 18 10	3,600 8 4	3,396 5 11	15,002 3 1	1,552 9 6	11,605 17 2		
Collections by the accountant of the Government printing office - -	384 3 0	1,361 13 6	1,921 16 9	3,295 7 2	977 10 6	1,373 10 5		
Sale of Government property - -	376 12 3	3,245 2 6	656 4 9	11,988 8 2	2,868 10 3	11,332 3 5		
Receipts of the electric telegraph department - - - - - -	- - -	144 15 8	- - -	219 16 0	144 15 8	219 16 0		
Miscellaneous receipts - -	565 14 1	1,999 14 9	986 3 1	5,314 15 9	1,434 0 8	4,328 12 8		
£	525,492 19 4	518,483 1 5	1,648,423 11 1	1,796,723 7 5*	72,182 11 5	419,914 7 11	79,192 9 4	271,614 11
Territorial Revenue.								
Proceeds of the sale of land and town allotments - - - - -	540,386 1 11	298,074 14 0	1,496,714 9 1	1,358,078 7 2	- - -	- - -	242,311 7 11	138,636 1
Immigration remittances - - -	1,391 0 0	1,250 16 11	3,260 15 6	6,305 16 11	- - -	3,045 1 5	140 3 1	
Leases and licences to occupy Crown lands -	489 6 0	1,682 0 0	29,860 1 9	36,923 15 1	1,192 14 0	7,063 13 4		
Licences to cut timber, and to camp, on Crown lands - - -	4,042 16 2	2,729 14 2	12,166 8 1	10,704 0 0	- - -	- - -	1,313 2 0	1,462 8
Proceeds of the sale of wool from aboriginal station - - - -	1,006 16 0	- - -	1,455 1 2	- - -	- - -	- - -	1,006 16 0	1,455 1
Stoppages and repayments for rations -	816 13 0	1,135 5 10	3,842 0 8	3,729 6 0	318 12 10	- - -	- - -	112 14
Sale of Crown property - - -	122 15 6	365 13 6	122 15 6	1,252 5 2	242 18 0	1,129 9 8		
Rents of Government quarries and premises	472 3 4	311 10 0	2,706 1 4	3,405 18 4	- - -	699 17 0	160 13 4	
Received for improvements on land sold by the Crown - - - -	- - -	955 0 0	70 0 0	5,929 0 0	955 0 0	5,859 0 0		
Miscellaneous receipts - - -	126 10 9	24 5 8	163 10 9	120 10 4	- - -	- - -	102 5 1	43 0
Repayments from other Governments -	- - -	- - -	3,464 6 5	- - -	- - -	- - -	- - -	3,464
£	548,854 2 8	306,529 0 1	1,553,825 10 3	1,426,448 19 0	2,709 4 10	17,797 1 5	245,034 7 5	145,173 1
Totals -	1,074,347 2 0	825,012 1 6	3,202,249 1 4	3,223,172 6 5	74,891 16 3	437,711 9 4	324,226 16 9	416,788 4

* A sum of 2,054*l.* 13*s.* 11*d.* received from Geelong is not included in this amount, the necessary information not having been received in time to enable this department to place it under the proper heads of revenue.

Net Increase or Decrease -	Upon the Quarter ended 31st Dec. 1854.	Upon the Year ended 31st Dec. 1854.
	£ s. d.	£ s. d.
Increase on the aggregate of the General Revenue - -	- -	148,299 16 4
Decrease on the aggregate of the General Revenue - -	7,009 17 11	
Decrease on the aggregate of the Territorial Revenue - -	242,325 2 7	127,376 11 3
Total Decrease - - - - - -	249,335 0 6	
Total Increase - - - - -	- -	20,923 5 1

Audit Office, Melbourne,
January 1, 1855.

EDWARD GRIMES,
Auditor-General.

No. 9.

No. 9.

Copy of a DESPATCH from Governor Sir Charles Hotham to the Right Hon. Sir George Grey, Bart.

(No. 21.)

Toorac, near Melbourne, January 29, 1855.

(Received May 12, 1855.)

Sir,

I have the honour to forward for your information the usual Returns from the Gold Fields for the two months ending the 31st December 1854.

I have, &c.
(Signed) CHARLES HOTHAM.

The Right Hon. Sir George Grey,
&c. &c. &c.

Gold Returns contained in the Lieutenant Governor's Despatch, No. 21, of date January 29, 1855.

No. 1.—Return of the Number of Licences issued at the various Gold Fields of this Colony.

No. 2.—Return of Gold transmitted by Government Escort from the various Workings.

No. 3.—Return of the Amount received as Fees for Licences issued.

No. 4.—Return of the Amount received as Fees for the Escort of Gold.

No. 5.—Return of Sales by Tender of Government Gold.

No. 6.—Return of the Amount received as Fees for the Custody of Gold and Cash.

No. 7.—Return of Gold Exported.

No. 7a.—Return of the Quantity and Value of Gold exported from the Colony during the Quarter ending December 31, 1854.

No. 8.—Return of the Receipt and Delivery of Gold forwarded by the Government Escorts.

No. 9.—Return of the Rates of Wages and Prices current on the various Gold Fields.*

No. 10.—Return of the Rates of Wages and Prices current in Melbourne.*

No. 11.—Return of the Arrivals at and the Departures from the Colony by Sea.

No. 12.—Return of Vessels in the Harbour Ports of Melbourne and Geelong on January 1, 1855.*

No. 13.—Return of Cases brought before the Circuit Court held at Castlemaine on the 9th December 1854.

No. 14.—Return of the estimated Population on the various Gold Fields.

No. 15.—Return of the Civil, Military, and Police Force employed on and in connexion with the Gold Fields of the Colony.*

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* These voluminous Returns are not printed.

No. 1.

Department of Commissioners for the Gold Fields, Victoria.

RETURN of the Number of Licences to dig and search for Gold, and of Licences to carry on the Business of Storekeepers, issued at the various Gold Fields of this Colony during the Months of November and December 1854.

District.	November.							December.						
	Miners' Licences.				Storekeepers' Licences.			Miners' Licences.				Storekeepers' Licences.		
	Number of Licences issued for 1 month at £1.	Number of Licences issued for 3 months at £2.	Number of Licences issued for 6 months at £4.	Number of Licences issued for 12 months at £8.	Number of Licences issued for 3 months at £15.	Number of Licences issued for 6 months at £25.	Number of Licences issued for 12 months at £50.	Number of Licences issued for 1 month at £1.	Number of Licences issued for 3 months at £2.	Number of Licences issued for 6 months at £4.	Number of Licences issued for 12 months at £8.	Number of Licences issued for 3 months at £15.	Number of Licences issued for 6 months at £25.	Number of Licences issued for 12 months at £50.
Castlemaine -	1,280	2,856	2	5	41	12	Nil.	666	1,023	Nil.	4	36	4	Nil.
Avoca - -	904	1,592	Nil.	2	71	7	Nil.	473	732	Nil.	Nil.	39	8	3
Sandhurst -	839	1,992	Nil.	Nil.	16	7	Nil.	465	765	Nil.	4	9	2	Nil.
Ballarat - -	1,386	2,764	Nil.	2	87	16	4	1,061	1,467	Nil.	2	27	7	1
Beechworth -	822	1,030	Nil.	2	12	2	3	653	743	Nil.	1	6	2	3
Total - -	5,231	10,234	2	11	227	44	7	3,318	4,730	Nil.	11	117	23	7

Office of Chief Commissioner of Gold Fields,
Melbourne, January 24, 1855.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 2.

RETURN of the Quantity of GOLD received at the Gold Offices, Melbourne and Geelong, by the Government Escort from the various Gold Fields of this Colony during the Months of November and December 1854.

Date.	Government Gold.		Private Gold.				Total.		Grand Total.	
			Melbourne.		Geelong.					
	Quantity.	Value at £4 per oz.	Quantity.	Value at £4 per oz.	Quantity.	Value at £4 per oz.	Quantity.	Value at £4 per oz.	Quantity.	Value at £4 per oz.
CASTLEMAINE and SANDHURST.										
	Ounces.	£	Ozs. dwts.	£ s.	Ozs. dwts.	£	Ozs. dwts.	£ s.	Ozs. dwts.	£
Nov. 3 -	- -	- -	19,788 15	79,155 0	120 10	482	19,909 5	79,637 0		
„ 10 -	- -	- -	25,184 12	100,738 8	584 10	2,338	25,769 2	103,076 8		
„ 17 -	- -	- -	16,389 5	65,557 0	490 0	1,960	16,879 5	67,517 0		
„ 24 -	- -	- -	17,312 6	69,249 4	36 0	144	17,348 6	69,393 4		
Dec. 1 -	- -	- -	16,714 10	66,858 0	1 10	6	16,716 0	66,864 0		
„ 8 -	- -	- -	20,135 1	80,540 4	119 0	476	20,254 1	81,016 4		
„ 15 -	- -	- -	15,213 10	60,854 0	116 10	466	15,330 0	61,320 0		
„ 22 -	- -	- -	20,300 1	81,200 4	—	—	20,300 1	81,200 4		
„ 29 -	- -	- -	9,060 10	36,242 0	505 10	2,022	9,566 0	38,264 0		
Total -	- -	- -	160,098 10	640,394 0	1,973 10	7,894	162,072 0	648,288 0	162,072 0	648,288
BALLARAT.										
Nov. 3 -	- -	- -	7,038 10	28,154 0	1,725 15	6,903	8,764 5	35,057 0		
„ 10 -	- -	- -	7,199 15	28,799 0	1,887 5	7,549	9,087 0	36,348 0		
„ 17 -	- -	- -	7,613 5	30,453 0	3,870 5	15,481	11,483 10	45,934 0		
„ 24 -	- -	- -	2,540 10	10,162 0	7,056 5	28,225	9,596 15	38,387 0		
Dec. 1 -	- -	- -	6,728 10	26,914 0	4,364 5	17,457	11,092 15	44,371 0		
„ 8 - No Escort, on account of the disturbances on this gold field.										
„ 15 -	- -	- -	18,880 10	75,522 0	793 0	3,122	19,673 10	78,694 0		
„ 22 -	- -	- -	11,017 0	44,068 0	223 10	894	11,240 10	44,962 0		
„ 29 -	- -	- -	7,738 0	30,952 0	330 15	1,323	8,068 15	32,275 0		
Total -	- -	- -	68,756 0	275,024 0	20,251 0	81,004	89,007 0	356,028 0	89,007 0	356,028
BEECHWORTH.										
Nov. 6 -	- -	- -	4,621 0	18,484 0	- -	- -	4,621 0	18,484 0		
„ 20 -	- -	- -	6,260 10	25,042 0	- -	- -	6,260 10	25,042 0		
Dec. 4 -	- -	- -	6,334 0	25,336 0	- -	- -	6,334 0	25,336 0		
„ 18 -	- -	- -	6,729 0	26,916 0	- -	- -	6,729 0	26,916 0		
Total -	- -	- -	23,944 10	95,778 0	- -	- -	23,944 10	95,778 0	23,944 10	95,778
HEATHCOTE.										
Nov. 6 -	- -	- -	614 10	2,458 0	- -	- -	614 10	2,458 0		
„ 20 -	- -	- -	356 0	1,424 0	- -	- -	356 0	1,424 0		
HEATHCOTE *via* SANDHURST.										
„ 24 -	- -	- -	414 10	1,658 0	- -	- -	414 10	1,658 0		
Dec. 22 -	- -	- -	618 10	2,474 0	- -	- -	618 10	2,474 0		
Total -	- -	- -	2,003 10	8,014 0	- -	- -	2,003 10	8,014 0	2,033 10	8,014
GRAND TOTAL	- -	- -	254,802 10	1,019,210 0	22,224 10	88,898	277,027 0	1,108,108 0	277,027 0	1,108,108

Office of Chief Commissioner of Gold Fields,
Melbourne, January 24, 1855.

W. H. WRIGHT
Chief Commissioner of Gold Fields.

VICTORIA.

No. 3.

RETURN of the Amount of FEES received at this Office per Escort during the Months of November and December 1854, being Payments on Account of Licences issued at the various Gold Fields in this Colony.

—	Where issued.	Cash.	Total Amount.
		£ s. d.	£ s. d.
November -	Castlemaine, Sandhurst, &c. -	30,616 0 0	30,616 0 0
December -	Do. do. - -	13,374 0 0	13,374 0 0
	Total - -	£43,990 0 0	£43,990 0 0

Office of Chief Commissioner of Gold Fields,
Melbourne, January 24, 1855.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 4.

RETURN of the Amount of FEES received at the Gold Offices, Melbourne and Geelong, on private Gold, and Cash transmitted per Escort from the various Gold Fields of this Colony and delivered to the Public during the Months of November and December 1854.

—	From Whence.	Amount.
		£ s. d.
November -	Castlemaine, Sandhurst, &c. - - -	4,030 15 0
December -	Do. do. - - - -	4,110 17 6
	Total - - -	£8,141 12 6

Office of Chief Commissioner of Gold Fields,
Melbourne, January 24, 1855.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 5.

RETURN of SALES by TENDER of GOVERNMENT GOLD during the Months of November and December 1854.

Nil.

Office of Chief Commissioners of Gold Fields,
Melbourne, January 24, 1855.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 6.

RETURN of the Amount of FEES received during the Months of November and December on Gold and Cash deposited in the Gold Office, Melbourne and Geelong, longer than One Month.

—	No. of Parcels.	Gold.	Cash.	Office Fees.
		Ozs. dwts. grs.	£ s. d.	£ s. d.
November - -	187	4,846 5 0	401 0 0	377 9 6
December- -	157	4,302 5 0	2,475 0 0	372 0 2
Total - -	344	9,148 10 0	2,876 0 0	749 9 8

Office of Chief Commissioner of Gold Fields,
Melbourne, January 24, 1855.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 7.

RETURN of the Amount of Gold exported from this Colony during the months of November and December 1854.

Port of Shipment.	November.			December.			Total.		
	Ozs.	dwts.	grs.	Ozs.	dwts.	grs.	Ozs.	dwts.	grs.
Melbourne - - - -	103,668	3	20	282,711	6	8	386,379	10	4
Geelong - - - -	35,580	0	0	5,962	0	0	41,542	0	0
Total - -	139,248	3	20	288,673	6	8	427,921	10	4

Custom House, Melbourne,
January 18, 1855.

HUGH E. CHILDERS.

No. 7*a*.

RETURN of the QUANTITY and VALUE of GOLD exported from the Colony of Victoria during the Quarter ending December 31, 1854.

Vessel's Name.	Date of Departure, 1854.	To London.	To Liverpool.	To Southampton.	To Singapore.	To Hong Kong.	To Callao.	To San Francisco.	Total.	Value as entered in Return of Exports.
		Ozs. dwts. grs.	Ozs. dwts. grs.	Ozs. dwts. grs.	Ozs. dwts. grs.	Ozs. dwts. grs.	Ozs.	Ozs. dwts. grs.	Ozs. dwts. grs.	£
Shirley	October 19	- -	- -	- -	- -	- -	1,050	- -	1,050 0 0	3,894
Great Britain	„ 27	- -	59,338 9 0	- -	- -	- -	- -	- -	59,338 9 0	237,292
Great Britain	„ 28	- -	21,829 0 0	- -	- -	- -	- -	- -	21,829 0 0	87,300
Calcutta	November 11	- -	- -	89,781 16 23	- -	- -	- -	- -	89,781 16 23	358,737
Norna	„ 25	- -	- -	- -	13,886 6 21	- -	- -	- -	13,886 6 21	60,000
Brilliant	„ 29	35,580 0 0	- -	- -	- -	- -	- -	- -	35,580 0 0	142,320
Marco Polo	December 1	- -	56,894 12 0	- -	- -	- -	- -	- -	56,894 12 0	225,124
City of Norfolk	„ „	- -	- -	- -	- -	- -	- -	425 0 0	425 0 0	1,700
Kent	„ 2	65,769 4 0	- -	- -	- -	- -	- -	- -	65,769 4 0	260,242
Admiral	„ 6	55,636 6 6	- -	- -	- -	- -	- -	- -	55,636 6 6	220,000
Arabian	„ 15	- -	44,822 17 20	- -	- -	- -	- -	- -	44,822 17 20	225,888
Arabian	„ 16	- -	12,155 0 0	- -	- -	- -	- -	- -	12,155 0 0	
Victoria	„ 19	- -	- -	- -	- -	1,250 0 0	- -	- -	1,250 0 0	5,000
Blackwall	„ 30	45,758 6 6	- -	- -	- -	- -	- -	- -	45,758 6 6	183,030
Aberfoyle	„ „	5,962 0 0	- -	- -	- -	- -	- -	- -	5,962 0 0	23,848
TOTAL EXPORTS		208,705 16 12	195,039 18 20	89,781 16 23	13,886 6 21	1,250 0 0	1,050	425 0 0	510,138 19 4	2,034,375

Custom House, Melbourne, January 8, 1855.

HUGH E. CHILDERS.

No. 8.

MONTHLY RETURN of Gold received on Private Account, November 1854.

	Ozs.	dwts.	grs.
Balance on hand, 31st October, 1854 - - -	33,190	18	0
Received from Castlemaine, Sandhurst, (Mount Alexander), &c.	79,905	18	0
" " Ballarat - - - -	24,392	0	0
" " Beechworth - - - -	10,881	10	0
" " Heathcote - - - -	1,385	10	0
	149,755	6	0
Delivered to the public - - - - - -	125,697	9	0
	24,057	17	0
Sent to Geelong - - - - - -	1,195	0	0
Balance - -	22,862	17	0

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

Office of Chief Commissioner of Gold Fields.
Melbourne, January 24, 1855.

No. 9.

MONTHLY RETURN of Gold received on Private Account, December 1854.

	Ozs.	dwts.	grs.
Corrected by balance on hand, 30th November 1854 - -	22,862	17	0
Received from Castlemaine, Sandhurst (Mount Alexander), &c. -	82,166	2	0
" " Ballarat - - - - - - -	44,364	0	0
" " Beechworth - - - - - -	13,063	0	0
" " Heathcote - - - - - - -	618	10	0
	163,074	9	0
Delivered to the public - - - - -	127,587	0	0
	35,487	9	0
Sent to Geelong - - - - - -	273	0	0
Balance - -	35,214	9	0

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

Office of Chief Commissioner of Gold Fields,
Melbourne, January 24, 1855.

Nos. 9 and 10.

[These voluminous Returns of Wages and Prices are not printed. Similar Returns are however to be found at pages 53 and 54.]

No. 11.—Return showing the Number of Persons who have arrived in and departed from the Colony of Victoria, by Sea, during the Month of December 1854.

ARRIVALS.

Port of Arrival.	PLACE OF DEPARTURE. New South Wales. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total from the Neighbouring Colonies. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total Souls.
Melbourne -	407	80	55	–	203	97	60	6	243	80	59	1	6	2	–	–	859	259	174	7	3,296	1,486	915	190	351	48	34	5	4,506	1,793	1,123	202	7,624
Geelong -	6	1	–	–	–	–	–	–	45	5	5	–	1	1	–	–	52	7	5	–	118	126	89	16	–	–	–	–	170	133	94	16	413
Other Ports	15	3	3	–	22	11	10	–	85	17	9	–	–	–	–	–	122	31	22	–	81	143	53	9	–	–	–	–	203	174	75	9	461
Total -	428	84	58	–	225	108	70	6	373	102	73	1	7	3	–	–	1,033	297	201	7	3,495	1,755	1,057	215	351	48	34	5	4,879	2,100	1,292	227	8,498

DEPARTURES.

Port of Departure.	PLACE OF DESTINATION. New South Wales. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total to the Neighbouring Colonies. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total Souls.
Melbourne -	875	191	104	10	257	49	32	2	420	144	52	2	238	84	80	15	1,790	468	268	29	553	97	57	8	134	13	2	1	2,477	578	327	38	3,420
Geelong -	3	3	3	–	–	–	–	–	7	6	2	1	1	3	2	–	11	12	7	1	6	1	–	1	–	–	–	–	17	13	7	2	39
Other Ports	5	2	2	–	15	1	–	–	5	2	4	–	–	–	–	–	25	5	6	–	–	–	–	–	–	–	–	–	25	5	6	–	36
Total -	883	196	109	10	272	50	32	2	432	152	58	3	239	87	82	15	1,826	485	281	30	559	98	57	9	134	13	2	1	2,519	596	340	40	3,495

Immigration Office, Melbourne,
January 13, 1855.

Alfred J. Agg,
Acting Immigration Agent.

No. 11 (*continued*).—Return showing the Number of Persons who have arrived in and departed from the Colony of Victoria, by Sea, during the Month of November 1854.

ARRIVALS.

Port of Arrival.	Place of Departure: New South Wales. Adults. Male	Female.	Children between 1 & 14.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total from the Neighbouring Colonies. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total Souls.
Melbourne	499	90	33	4	158	65	41	–	271	62	37	5	34	17	27	4	962	234	138	13	1,459	457	376	70	293	77	58	9	2,714	768	572	92	4,146
Geelong	21	5	2	–	–	–	–	–	63	19	11	1	–	–	–	–	84	24	13	1	17	9	13	1	–	–	–	–	101	33	26	2	162
Other Ports	–	–	–	–	11	1	–	1	79	16	8	–	–	1	1	–	90	18	9	1	132	203	113	27	–	–	–	–	222	221	122	28	593
Total	520	95	35	4	169	66	41	1	413	97	56	6	34	18	28	4	1,136	276	160	15	1,608	669	502	98	293	77	58	9	3,037	1,022	720	122	4,901

DEPARTURES.

Port of Departure.	Place of Destination: New South Wales. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	South and Western Australia. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Van Diemen's Land. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	New Zealand and South Seas. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total to the Neighbouring Colonies. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	The United Kingdom. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Foreign Ports. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	General Total. Adults. Male.	Female.	Children between 1 & 14.	Infants under 1 year.	Total Souls.
Melbourne	929	157	91	6	289	65	39	3	329	94	61	6	91	23	24	1	1,638	339	215	16	34	8	14	–	122	8	7	–	1,794	355	236	16	2,401
Geelong	14	3	2	–	–	–	–	–	12	7	3	1	–	–	–	–	26	10	5	1	–	–	–	–	–	–	–	–	26	10	5	1	42
Other Ports	2	–	–	–	–	–	–	–	2	3	–	–	–	–	–	–	4	3	–	–	–	–	–	–	–	–	–	–	4	3	–	–	7
Total	945	160	93	6	289	65	39	3	343	104	64	7	91	23	24	1	1,668	352	220	17	34	8	14	–	122	8	7	–	1,824	368	241	17	2,450

Immigration Office, Melbourne,
December 5, 1854.

Edward Bell,
Immigration Agent.

VICTORIA.

No. 12.

[RETURN of Vessels in the Harbour, Ports of Melbourne, and Geelong, on 1st January 1855.]
This voluminous Return is not printed.

No. 13.

A RETURN of the Disposal of 76 Persons brought before the Criminal Circuit Court, Castlemaine, Colony of Victoria, on the 9th December 1854.

Offence.	Convicted.	Acquitted.	Discharged from absence of Witnesses.	Remanded to next Sessions.	Total.
Murder	-	-	1	1	2
Manslaughter	1	1	-	-	2
Robbery in company	3	-	-	5	8
Stealing in a dwelling-house to the value of 5*l.*	8	-	-	3	11
Found at night in a dwelling-house without lawful excuse	1	-	-	-	1
Stealing from the person	1	3	1	1	6
Horse stealing	3	2	-	3	8
Stealing auriferous soil	-	3	1	2	6
Larceny	7	5	2	-	14
Sheep stealing	-	-	-	1	1
Embezzlement	1	-	-	-	1
Assaulting a constable in the execution of his duty	2	-	-	3	5
Common assault	1	-	-	-	1
Maliciously wounding	-	1	-	5	6
Inflicting actual bodily harm	1	-	-	-	1
Perjury	1	1	-	-	2
Arson	-	1	-	-	1
	30	17	5	24	76

SENTENCES.

12 years on the roads of the colony, 2 first in irons	-	1
10 ditto ditto 1 ditto	-	1
7 ditto ditto	-	3
6 ditto ditto	-	3
5 ditto ditto	-	7
3 ditto ditto	-	1
2 ditto ditto	-	2
12 months ditto	-	1
4 ditto ditto	-	1
3 years' imprisonment	-	2
1 ditto ditto	-	1
18 months ditto	-	1
12 ditto ditto	-	3
6 ditto ditto	-	1
2 ditto ditto	-	1
1 ditto ditto	-	1
Total	-	30

27th January 1855.

HENRY F. GREENER, Crown Solicitor.

No. 14.

RETURN of the estimated Population on the various Gold Fields of this Colony, on the 30th December 1854.

District.	Men.	Women.	Children.	Total.	Remarks.
Castlemaine	11,680	2,944	3,896	18,520	
Avoca	11,515	1,683	1,918	15,116	
Sandhurst	15,000	3,750	3,250	22,000	
Ballarat	20,470	5,165	6,365	32,000	
Beechworth	3,830	445	670	4,945	
Total	62,495	13,987	16,099	92,581	

Office of the Chief Commissioner of Gold Fields,
Melbourne, January 24, 1855.

W. H. WRIGHT,
Chief Commissioner of Gold Fields.

No. 15.

RETURN of the Civil, Military, and Police Force employed on and in connexion with the various Gold Fields of this Colony, on the 31st December 1854.

[This voluminous Return is not printed, but a similar Return will however be found at page 38.]

No. 10.

COPY of a DESPATCH from Governor Sir CHARLES HOTHAM to the Right Hon. Sir GEORGE GREY, Bart.

(No. 38.) Toorac, near Melbourne, February 28, 1855.
(Received May 21, 1855.)
(Answered No. 18, June 2, 1855, Page 106.)

SIR,

I HAVE already done myself the honour to report in my Despatch No. 162,* of the 20th day of December 1854, that the military force engaged in the attack on the Eureka stockade on the gold field at Ballarat, had taken one hundred and twenty prisoners; out of this number only thirteen were committed for trial, the remainder being released, not on account of the charges being entirely disproved, but because the magistrates were instructed to limit the commitments to those against whom the proof of participation was of the clearest kind.

* Page 65.

1. Jacob Saranson.
2. Charles Raphelo.
3. Jan Vermick.
4. Michael Tusley.
5. Thomas Dignam.
6. William Molloy.
7. John Manning (tried).
8. Henry Reed.
9. John Joseph (tried).
10. James Macfie Campbell.
11. Timothy Hayes.
12. James Beattie.
13. John Phelan.

The prisoners already named were sent to Melbourne to take their trial; but for various causes, into which I need hardly enter, the trials were postponed until the 20th day of February, when, at the request of the counsel of the first three prisoners, their trial was further postponed in consequence of the alleged absence of material witnesses for the defence of the first two, and the want of preparation on the part of the third to take his trial.

Timothy Hayes, Charles Raphaelo. John Manning.

The case of the fourth, a man of colour, and an inhabitant of Boston in the United States, was then proceeded with.

John Joseph.

I append for your information a copy of a report of the trial extracted from the "Argus" newspaper, and a complete report of these trials, taken from a short-hand writer's notes, will be transmitted as soon as they can be prepared.

John Joseph.

The identity of the prisoner, his presence on two occasions when the insurgents were being armed and drilled, and his presence at, and participation in, the occurrences at the Eureka stockade on the morning of the 3d of December, were clearly proved.

Six witnesses spoke to his having been found inside the stockade; two of his having been seen discharging a gun at the military, and two to his having been taken in custody, out of a tent inside the stockade, which was used as a guard tent by the insurgents, from which many shots had been fired, many persons having been found dead and wounded in it, and several stand of arms having been discovered lying on the floor apparently recently discharged.

The proof of existence of a treasonable concert was supported by evidence of the meeting on Bakery Hill on the 28th of November, the swearing in of volunteers under the insurgents flag on the 29th, and the drilling of armed bodies of men on that and the subsequent days; the compulsory stopping, by the insurgents in armed bodies, of all mining operations by the well-disposed during those days; the collection of arms, ammunition, provisions, and horses without payment; the formation of weapons (pikes); the construction of the stockade, and the resistance and attack (the firing having been commenced by the insurgents without challenge or parley) on the troops and constabulary on the morning of the 3d of December. No evidence was called for the defence; the prisoner's counsel resting solely on the non-existence, as they alleged, of any treasonable intentions, and the jury after a brief consultation of half an hour, returned a verdict of "not guilty."

The trial of the third prisoner, an Irishman, who had been at the time of the riots employed as a reporter of a newspaper published at the gold fields—"The Ballarat Times"—was the next.

John Manning.

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The evidence for the prosecution in his case was substantially the same as that in the case of Joseph, except that there was no proof of his having been seen with arms when inside the stockade, or of having been armed when he was taken from the guard tent with Joseph; it was proved that he had been drilled on the previous days in the use of a pike.

No evidence was adduced for his defence, which was the same as that urged for Joseph; and a similar verdict of acquittal was, after a brief deliberation, also given in his case.

After these verdicts had been returned, it was considered expedient to postpone the trial of the other prisoners until the next session, in order that in cases of such importance to the country, the opinion of a jury taken from another panel might be obtained, as to the guilt or innocence of the accused.

I have, &c.

(Signed) CHARLES HOTHAM.

The Right Hon. Sir George Grey,
&c. &c. &c.

Despatches from the Secretary of State.

No. 1.

No. 1.

Copy of a DESPATCH from the Right Hon. Sir George Grey, Bart., to Governor Sir Charles Hotham.

(No. 4.)

Sir, Downing Street, January 12, 1855.

I have received your Despatch, No. 112,* of the 18th of September last, containing the report of your official visit to the chief gold fields in Victoria, which I have read with great interest and satisfaction. I hope that your personal inspection of these districts, and your intercourse with the large bodies of miners employed in them, will tend to confirm and strengthen the feelings of loyalty to the Crown, attachment to this country, and respect for the law, of which you received during your progress such gratifying proofs. * Page 28.

I fully concur with you in the importance you attach to the use of machinery in developing the resources of the mineral wealth of the colony, and your intention of granting mining leases, subject of course to proper conditions, appears well calculated to promote this object. But the expediency of offering high rewards in order to stimulate the search for new gold fields is not equally apparent. I should have thought such a measure unnecessary, but you may have had grounds for adopting it of which I am not informed.

I have, &c.

Governor Sir C. Hotham, (Signed) G. GREY.
&c. &c. &c.

No. 2.

No. 2.

Copy of a DESPATCH from the Right Hon. Sir George Grey, Bart., to Governor Sir Charles Hotham.

(No. 10.)

Sir, Downing Street, March 1, 1855.

I have received your Despach, No. 151,* of the 19th of November last, reporting the circumstances under which you had been induced to appoint a Commission of inquiry to investigate and report upon the affairs of the gold fields in Victoria. * Page 45.

I have, &c.

Governor Sir C. Hotham, Signed) G. GREY.
&c. &c. &c.

No. 3.

No. 3.

Copy of a DESPATCH from the Right Hon. Sir George Grey, Bart., to Governor Sir Charles Hotham.

(No. 16.)

Sir, Downing Street, March 3, 1855.

I have to acknowledge the receipt of your Despatch, No. 148,* of the 18th of November last, reporting the burning of the Eureka Hotel at Ballarat, with other tumultuous proceedings, by a large assemblage of the digging population in that vicinity, in consequence of the suspicions which they entertained of the landlord with his wife and a man named Farrell having been privy to the death of James Scobie, who was found murdered on the gold field, having been last seen coming from that hotel. * Page 44.

You also report the steps which you had successfully taken for the re-establishment of order, and the measures which had been adopted for bringing the

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parties to justice, and for punishing certain persons placed in situations of authority in that district, who were proved to have been guilty of corruption.

I shall defer any observations on the subject until I shall be in receipt of a Despatch from you containing further particulars.

I have, &c.
(Signed) G. GREY.

Governor Sir C. Hotham,
&c. &c. &c.

No. 4.

No. 4.

Copy of a DESPATCH from the Right Hon. Sir George Grey, Bart., to Governor Sir Charles Hotham.

(No. 30.)

Sir, Downing Street, April 2, 1855.

* Page 65.

I have to acknowledge your Despatch, No. 162,* of the 20th December last, reporting a very serious disturbance at Ballarat, the steps which you found necessary in order to suppress it, and the manner in which that purpose was effected, with the aid of the military, and civil force at their disposal.

Awaiting with anxiety the further accounts, which may soon be expected, of the origin and character of this disturbance, so many of the ringleaders being in custody, Her Majesty's Government nevertheless take the earliest opportunity of expressing to you their sense of the service which you and the force under your command have rendered by the prompt suppression of so formidable an outbreak. No doubt can be entertained of the seriousness of its character, both from the lamentable loss of life occasioned, and from the signs of open and avowed disaffection exhibited by some of the misguided people engaged in it.

I shall not fail to take into full consideration the other particulars of this and your other Despatches on the subject, and you will hear more in detail by the next mail.

I have, &c.
(Signed) G. GREY.

Governor Sir C. Hotham,
&c. &c. &c.

No. 5.

No. 5.

Copy of a DESPATCH from the Right Hon. Lord John Russell to Governor Sir Charles Hotham.

(No. 18.)

Sir, Downing Street, June 2, 1855.

* Page 103.

I have to acknowledge your Despatch, No. 38,* of the 28th February last, reporting the proceedings which took place at the trial of certain of the prisoners captured by the military in the attack on the Eureka stockade at Ballarat. I await the further information you have promised on this subject.

2. I take, however, this opportunity of acknowledging more fully than Her Majesty's Government were able to do on a former occasion the services of the military and civil force engaged in the repression of a disturbance which threatened to be of so very mischievous a character, and to involve such disastrous consequences to the peace and well-being of the community over which you preside. I trust that the resolution shown by the loyal population of the colony, and especially by the citizens of Melbourne and Geelong, as described in your Despatch, will suffice to prevent any further symptoms of disaffection from exhibiting themselves, and that enough has been done to recall the misguided to a sense of their duties.

I have received Her Majesty's commands to express to you Her high sense of the prompt and energetic, and at the same time prudent, manner in which you acted under very trying circumstances, and in which you so speedily quelled this alarming outbreak.

3. I have, in pursuance of the suggestion of your Despatch, No. 6, of the 21st December last, recommended to the special attention of the Commander-in-Chief, through the Secretary of State for the War Department, the services

of Major General Sir R. Nickle, especially those rendered by him on the late occasion; and have also recommended that some honorary distinction should be conferred upon him.

4. I have also, in deference to the express commands of Her Majesty, brought the gallant services of Major Thomas, of the 50th Regiment, on this occasion, under the notice of the Commander-in-Chief.

5. I cannot conclude this Despatch without expressing my regret at the sacrifice of life occasioned by this unhappy event, and especially the loss of Captain Wise, who so gallantly fell in the discharge of his duty.

I have, &c.

Governor Sir C. Hotham, &c. &c. &c.

(Signed) J. RUSSELL.

VAN DIEMEN'S LAND.

VAN DIEMEN'S LAND.

Despatches from Lieutenant Governor Sir W. Denison.

No. 1.

No. 1.

COPY of a DESPATCH from Lieutenant-Governor Sir W. DENISON to the Right Hon. Sir GEORGE GREY, Bart.

(No. 92.)

Van Diemen's Land, Government House,
December, 30, 1854.
(Received March 17, 1855.)
(Answered No. 28, March 22, 1855, page 111.)

SIR,

I HAVE the honour to enclose herewith copies of the correspondence between Sir Charles Hotham and myself relative to the military assistance required by him in order to quell an outbreak which has taken place among the gold digging population.

You will see by my letter to Sir Charles Hotham the amount of the force I have been able to detach to his assistance. Should he require additional aid, I shall embody the pensioners, and detach as many of the 99th Regiment as I can possibly spare.

I trust, however, that the lesson given to the insurgents has been severe enough to put a stop to all such insane attempts for the future.

I have, &c.
(Signed) W. DENISON.

The Right Hon. Sir George Grey,
&c. &c. &c.

Encl. 1 in No. 1.

Enclosure 1 in No. 1.

[Despatch from Sir C. Hotham to Sir W. Denison, dated Melbourne, December 4, 1854, will be found already printed at page 85.]

Encl. 2 in No. 1.

Enclosure 2 in No. 1.

SIR, Van Diemen's Land, Government House, December 8, 1855.

I HAVE the honour to acknowledge the receipt of your letter dated the 4th December, enclosing copy of the "Argus" newspaper, giving an account of the proceedings of the insurgents at Ballarat, and requesting me to allow as many companies of the 99th Regiment as can be spared, to proceed forthwith to Melbourne, bringing with them any available field pieces.

Your letter was handed to me by Lieutenant-Colonel Reeves at 2 o'clock yesterday. I lost no time in making arrangements with Lieutenant-Colonel Jackson, who commands the 99th Regiment, for the embarkation of all the men who could be spared; and I am glad to be able to inform you that Colonel Jackson will embark this day with 300 men of his regiment, and will carry with him two twelve-pounder howitzers, with the necessary ammunition. Orders have also been given for the embarkation of an officer and 45 men from Launceston, and these will proceed to Melbourne by the first steamer which leaves that port.

I have left myself with but a small military force, but I have every confidence in the loyalty of the inhabitants of this colony; and should circumstances compel you to demand further assistance, I shall not hesitate to detach another company of the 99th Regiment, supplying the place of the men thus transferred to Victoria by the enrolment of a sufficient number of pensioners.

I should wish, however, before the adoption of such a step, to have timely notice given to me, in order that I may be able to make the necessary arrangements with as little inconvenience as possible to the parties concerned. Looking, however, to the success which has attended the first operations of the combined force of military and police, I cannot but hope that no effectual resistance will be made by the insurgents to the military force now at your disposal; and should the outbreak be, as you suppose, due to the instigation of foreigners, I trust that such a wholesome example will be made of the ringleaders as will check for the future any disposition on the part of such persons to interfere with the ordinary operations of the law, or to attempt the redress of their grievances, whether imaginary or real, by any means but those which the constitution recognizes.

I have, &c.
(Signed) W. DENISON.

Sir Charles Hotham,
&c. &c.

Despatches from the Secretary of State.

No. 1.

No. 1.

Copy of a DESPATCH from the Right Hon. Sir George Grey, Bart. to Governor Sir Henry Young.

(No. 28.)

Sir, Downing Street, March 22, 1855.

I have received Sir W. Denison's Despatch, No. 92, of the 30th December, with copies of a correspondence between the Governor of Victoria and himself relative to the military assistance for which the former had applied, in order to quell a serious outbreak that had taken place at the Ballarat gold district in that colony; and I have to express my approval of the promptitude with which the required reinforcements appear to have been sent.

I have, &c.

(Signed) G. GREY.

Governor Sir W. Denison,
&c. &c. &c.

WESTERN AUSTRALIA

WESTERN AUSTRALIA.

Despatches from Governor Fitzgerald.

No. 1.

No. 1.

EXTRACT of a DESPATCH from Governor FITZGERALD to the Right Hon. Sir GEORGE GREY, Bart.

(No. 108.) Government House, Perth, Sept. 18, 1854.
(Received December 3, 1854.)

"I have the honour to forward duplicate copies of the Ordinances, numbered from 1 to 19, of the 17th of Victoria, passed at the last session of the Legislative Council of this colony, with the following remarks :—

* * * * *

"No. 17. An Ordinance to provide for the preservation of order in case of any discovery of gold in Western Australia,

"Was passed as a precautionary measure with reference to any future discovery of gold in this colony, which was then thought not improbable, so as to enable the Government to make such regulations as might from time to time be considered necessary."

Encl. in No. 1.

Enclosure in No. 1.

WESTERN AUSTRALIA.

Anno decimo septimo Victoriæ Reginæ.

No. 17.

An Ordinance to provide for the preservation of order in case of any discovery of gold in Western Australia.

WHEREAS it is not improbable that gold and other precious metals may exist in some part of the colony, and may unexpectedly be discovered, and it is expedient to make some provision for the collection of Her Majesty's dues and royalties, the preservation of order and peace at the places of digging, and the general security of life and property: Be it enacted, by his Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, that it shall be lawful for his Excellency the Governor, by and with the advice of the Executive Council, to make from time to time such regulations concerning gold fields, licences, and all matters of police connected therewith, directly and indirectly, also to issue such orders from time to time as may seem to their discretion to be required, and that such orders and regulations shall be legal and binding with all the force of a Legislative Ordinance for and during the term of three calendar months after the publication thereof, unless sooner rescinded by legislative enactment; provided, nevertheless, that such regulations and orders shall not authorize the granting licences as aforesaid, extending over any lands granted in fee simple, to other than the proprietor thereof, without the previous consent in writing of the said proprietor or his agent in his behalf, if such proprietor or agent can be found in the colony; but if such proprietor or agent cannot be found in the colony, it shall be lawful for the Governor to issue licences extending over the land of any such last-mentioned proprietor, at the full fee or price charged for licences to dig on Crown lands, reserving in all such cases one half of such fee or price for the use or benefit of such proprietor when found.

II. And it shall be lawful for the Governor, by and with such advice and consent as aforesaid, to name and define what shall be a gold field within the meaning of this Ordinance, the prices and forms of licences, the terms and conditions of mining auriferous lands, to cancel, wholly or in part, any pastoral leases over gold fields, provided reasonable compensation be made to the lessee thereof for loss, if any, sustained by him; the amount of royalty, and all other matters incidental to the discovery of auriferous lands; also to appoint Commissioners and other officers to enforce and carry out such regulations as aforesaid.

CHARLES FITZGERALD,
Governor and Commander-in-Chief.

Passed the Council the 6th day of June 1854.

A. O'GRADY LEFROY,
Clerk of the Council.

True copy.

A. O'GRADY LEFROY,
Clerk of the Council.

CHARLES FITZGERALD,
Governor, &c.

CAPE OF GOOD HOPE.

FURTHER PAPERS

RELATIVE TO THE

STATE OF THE KAFFIR TRIBES.

(*In continuation of Papers presented May* 31, 1853.)

Presented to both Houses of Parliament by Command of Her Majesty,
July 1855.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1855.

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SCHEDULE.

CAPE OF GOOD HOPE.

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Lord John Russell.

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FURTHER PAPERS

RELATIVE TO THE

STATE OF THE KAFFIR TRIBES.

Despatches from Lieut.-Gen. the Hon. George Cathcart.

CAPE OF GOOD HOPE.

No. 1.

FURTHER PAPERS, &c.

Despatches from Lieut.-Gen. the Hon. George Cathcart.

No. 1.

EXTRACT of a DESPATCH from Lieutenant-General the Honourable Sir G. CATHCART to the Duke of NEWCASTLE.

(No. 2.) Graham's Town, April 14, 1853.
(Received May 30, 1853.)
(Answered No. 74, June 14, 1853, page 67.)

"MY former Despatches will have acquainted your Grace with the fact that the restoration of peace in all parts of Her Majesty's South African dominions has been accomplished.

I have not yet been disappointed in any of the anticipations which I ventured to communicate during the progress of events since I have held my present responsible appointment, and can now confidently give my opinion, that with due precaution and sufficient vigilance to counteract malignant agency, there is no reason why the eastern districts of this colony might not prosper and live in peace with their neighbours.

It is my intention in this Despatch to account for the state of the frontier at this date, commencing from the Orange River Territory down to the sea.

Your Grace will observe, that in three fourths of that extent of frontier no troops are now required, though the colonists are in contact with aborigines all the way. At the southern extremity frequent troubles have hitherto occurred, which have called for vast expenditure of money, and the employment of large armies.

I hope now that as the result of this war, the total expulsion of every Kafir tribe beyond the colonial boundary, has been accomplished, and that not one Kafir location remains on this side of the Keiskamma and Chumie rivers, the subsequent arrangements either already adopted or in progress, and which will appear in the course of this report, may suffice to ensure permanent security and tranquillity in future, at comparatively little cost to the British Government.

As regards, however, British Kaffraria, although I hope it may not be impracticable to provide for the occupation of that part of it, which is the key to the rest in a great measure, by means of colonists and some Fingoes, yet this can only be progressive; and in the meantime adequate military support is indispensable, otherwise the whole tissue is liable to unravel, and all the troubles of former days may recur.

Three regiments Infantry; one regiment Cavalry; one company Artiller; one company Sappers.

I am inclined to think that this force may rapidly, though gradually, bear reduction, but in the meantime I cannot advise at once a greater decrease of strength than that suggested in my former Despatches, unless some organised corps of military colonists could be sent to relieve an equal proportion of regular troops in the occupation of the lands from which the Gaikas have been expelled, including the Amatola mountains.

* * * * * *

District of Albert.

The next frontier district descending towards the south is the district of Albert.

The warfare carried on between the inhabitants of this district, who are almost all Dutch, and their aboriginal neighbours, was with the people of the Chief Morosi, who is a tributary of Moshesh, in conjunction with some Tam-

bookies, then in rebellion; but since the submission of Moshesh this war of retaliation, which had lasted for two years, and in which it is equally doubtful which party may be charged with the original aggression, and which had the ultimate advantage, has entirely ceased, and uninterrupted peace, security, and confidence has continued ever since the peace with the Tambookies and with Moshesh along that frontier.

In that country, the rural population being almost exclusively Dutch, the old organization under field cornets, with a very active Civil Commissioner, Mr. Cole, peace with Moshesh and Morosi having been restored, all that is now necessary for security and protection is accomplished without the aid of troops or paid levies, or police; and so long as we keep faith with Moshesh on the one hand, and the Tambookies on the other, there is no cause to apprehend any disturbance of the peace in that quarter; but the tendency of the Dutch farmers to encroach unduly on the natives beyond the border must be restrained by due course of law whenever occasion may be given for it, and this has duly been made known to them.

District of North Victoria.

The district of North Victoria was the scene of much trouble during the war of rebellion, in which a large portion of the Tambookie race associated with rebel Hottentots was implicated.

Papers laid before Parliament, March 20, 1851, as well as the result of an inquiry instituted by me previously to my final adjustment of the Tambookie question and proclamation of pardon, under penalty of a certain forfeiture and restriction of territory, as reported in my Despatch, dated November 14, 1852, No. 37, will show that the propensity to encroach, on the part of the Boers, already noticed, in defiance of the faith of the British Government pledged to the Tambookies, cannot be excluded from the consideration of the origin of this particular portion of the general frontier warfare. I only notice it here, however, to explain the policy by which I have now sought to restore peace on a lasting basis.

I find that a river, unless it be a very large one, not fordable and constantly flowing, though plausible and convenient on a map, is the most inefficient demarcation that can be adopted as a boundary between tribes, and still more so between the lands of different races, and that mountain ridges, abrupt and strongly defined as they are in this country, or even straight lines marked as main roads, are far more practically efficient than small streams winding through pastures and affording common drinking places for the cattle of different races, supposed exclusive possessors or occupants of the land on their respective banks.

With this view the Tambookies are now confined within a well-defined mountain boundary, with ample space and a fair share of good land; with this they are perfectly satisfied and most grateful, and nothing can be more exemplary than their conduct and their implicit obedience to the resident, Mr. Warner, who is a very worthy man and highly esteemed. Since the proclamation of pardon, of the 22d November 1852, there has not been a single case of cattle theft or collision with the burghers chargeable to the Tambookies. Nevertheless, I have had more than one application from the burghers, not content with the great extent of land forfeited and made available for their benefit, to induce me to break faith with the Tambookies, and give them lands which they covet within the proclaimed boundary. I need not say that such covetous applications have been duly rejected with reprehension and caution against attempted encroachment, for I am convinced the main secret of governing these native tribes is inviolable good faith, an innate sense of justice and truth being perhaps the only virtue they can appreciate, and for which they have among themselves, as well as in their intercourse with others, a religious respect.

This opinion is perhaps contrary to colonial prejudices, but it is nevertheless true, and I fear the natives have too frequently occasion to form a less favourable opinion in this respect of their colonial neighbours, from their intercourse with the less respectable and scrupulous traders of the latter community, with whom they come in contact.

My former Despatches, particularly one dated Burghers Dorp, 29th November 1852, No. 43, to which I anxiously expect an answer by the next mail due,

CAPE OF GOOD HOPE.

will have acquainted your Grace with my endeavours to fill up an important part of the country vacated by the Tambookies, by a sufficiently dense population, and under a sufficient organization for mutual support and self-defence, and I am happy to say that these endeavours have been attended with complete success, so that a promising town of some thirty houses has already sprung up, and about 300 farmers, "bonâ fide" occupants, have been located.

Thus I have been able to withdraw all military support, and the security of the district is sufficiently provided for, by a body of fifty mounted police, to be borne as a colonial charge from the 1st instant.

If I be allowed as suggested in my letter of the 29th November 1852, to transfer the Windvogel Berg country, north of the Amatolas and now part of British Kaffraria, to the colony, and join it with North Victoria, I can fill that country with a burgher population also; and I then propose to divide the district of Victoria into two separate districts, for it is already too extensive for one, and constitute this the north half, the district of Queenstown, which is the name of the new town, situated in its centre.

This arrangement I firmly believe will effectually cover all that part of the colony against any future attempted Kafir inroads, without calling for military aid.

Kat River Settlement.

I descend the frontier line now, to the Kat River settlement.

Copy of Instructions to Commission.

I have at present sitting at Elands Post a special commission, composed of Mr. Assistant Commissioner Owen, Mr. Acting Assistant Commissioner Ebden, and Mr. Calderwood, Civil Commissioner of Victoria; I enclose a copy of my instructions.

The object of this investigation is not as to the origin of the rebellion, or any retrospective inquiries farther than may be conducive to the present practical settlement of that district; so that this last remaining cicatrice left by the recent troubles may be healed, and measures taken to break up an exclusive national settlement, a measure which has proved not only a failure but attended with dangerous and inconvenient consequences.

I have not yet received the official report, but private communications from the members give me great hopes of most satisfactory practical results.

Colonial politicians are evidently anticipating that much food for their speculative reasonings and newspaper controversy may be derived from the investigation of this Commission, but they will be disappointed, for it is instituted for practical purposes only, and will not be published to serve as a fresh excitement to the slumbering embers of party prejudice and recrimination. The report will nevertheless be duly transmitted by my next opportunity for the information of Her Majesty's Government, and acted upon in the mean time by me, as far as I may be able to do so with prospect of immediate advantage to the cause of peace, and good and prospective improvement and security.

Although awaiting the report of this commission, and subsequent consultation with the Attorney General, and also awaiting the sanction of Her Majesty's Government asked for in my letter of the 29th November 1852, I cannot venture far on my own responsibility, I am most anxious to lose no time in the establishment of another village at Blinkwater, which is at the entrance of the Kat River settlement, in which I may bring together a respectable and industrious population of a class to breed honest labourers, as well as men capable of uniting for sufficient self-defence, and as an example in this country to show that men can live in communities here, as well as in every other part of the world, and not exclusively on farms of 6,000 acres in extent, with miserable lone dwellings fifteen miles apart, and until they do establish villages, they never can expect a working population, or that if emigrants came out they could be induced to stay; but I will not trouble your Grace further on this subject in this Despatch.

The Hottentot rebellion is entirely extinct. There are many absentees who cannot be accounted for, but they are glad to keep out of the way of the police and of the law, and, having taken up their abode in distant countries, I expect most of them will settle as the Griquas, Bastards, and Corannas did of old, and that we shall not experience much further inconvenience from them.

The almost total disappearance of all Hottentot thieves in the bush is also very remarkable. The police can find no traces of them since the last encounter, about three moths ago, in which, out of a gang of 40, upwards of 20 were hunted up and killed by the police, assisted by a detachment of the 12th Foot.

Nevertheless, it is impossible to say that, as they now meet with little sympathy from the Kafirs, some bands may not return, and try to live by plunder within the colony.

Districts of Victoria (South), Fort Beaufort, and Albany.

I come now to the district which gives the colonial boundary to the southern extremity of the line, South Victoria, formerly called the ceded territory, and I must consider, in conjunction with it, the districts of Fort Beaufort and Albany, the interests of all which, in case of frontier warfare, are inseparably connected.

Since the total and final clearance of the Kroome Mountains and Waterkloof, perfect tranquillity and security from all cattle-stealing prevails in the districts of Fort Beaufort, and those of Cradock and Somerset, which formerly suffered so severely from that nuisance. Three companies are at present required for the military occupation of the Blinkwater post and the post on the Kroome Mountain and Waterkloof; but if a sufficient village can be established at Blinkwater, which at present is only a military post, and the neighbouring valleys occupied by farmers, I hope very little military aid will be required to ensure permanent security.

The two remarkable tracts of dense forest which follow the course of the rivers Kat and Fish, and the rivers Chumie and Keiskamma, comprising between them the frontier districts of South Victoria, hitherto so formidable as a shelter for marauding bands of Kafirs and Hottentots, are now constantly patrolled by the police, but rarely the trace of a stray wanderer can be found, and never at any former period of frontier history has there been so entire an absence of all thieving and outrage in those parts as during the last two months.

This is more than I have a right to expect, and I do not trust to the continuance of so desirable, but almost preternatural, state of things. However, I am convinced that a permanent advantage has been gained, which the police will suffice to keep, provided, that when that force shall become a colonial charge, it may not, through false economy, be reduced to an inefficient state.

The present establishment and annual cost is as per margin, and possibly some further reduction may be practicable when another measure, to which I will next refer, comes into operation.

Strength, 15 officers, 260 men. Annual cost, 25,000*l.*

The Fingoes within the colony, as your Grace is no doubt aware, are remnants of a scattered race, found living in distinct communities, but associated with the more remote Kafir tribes, by whom they were held in a sort of bondage; and from various motives, under various circumstances, and at various times, they were brought by former governors from among the Kafirs, who ill treated them, and have been located chiefly in South Victoria and Fort Beaufort.

Their numbers may amount in all to 7,000 males capable of bearing arms; but they live under their respective headmen in small distinct communities, and have no national organization or union.

These people have always proved true and faithful, and have, during the last war, when enrolled in companies under European officers, done good and gallant service against the Kafirs, to whom they are, I think, quite equal as warriors in every respect.

As a natural consequence, during the progress of a warlike contest, their ancient enmity against their former oppressors ripened into a mortal hatred, and in proportion as they have become estranged from the Kafirs they have become attached to the Europeans, and especially Her Majesty's troops, with whom they have served, and who used them well.

This people have made greater advances towards civilization than the Kafirs seem capable of, and as they are placed in the intermediate frontier country between the Kafirs and the colonists, it has occurred to me that it is most desirable to keep them attached to us and available at any moment, not only in small detachmnets as a support to the police, but in a state of sufficient

CAPE OF GOOD HOPE.

organization and control, to turn out as an efficient armed force of 1,000 strong, or upwards, at a day's notice, to assist in repelling any attempted invasion, or quelling any Hottentot or other insurrection.

In their present temper and disposition, they would be ready to join Her Majesty's troops heart and hand, in any cause in which they might be called upon to act. And whilst I consider it politic to encourage and secure this state of things, neglect, ill-usage, or breach of faith towards them might make them formidable enemies and troublesome to deal with.

General Order, March 20, 1853.

With these views, I have now enrolled four companies, the organization of which will be explained by the enclosed General Order, and this force as well as the police, I intend should be maintained at the expense of the colony.

As an additional measure to provide for the security of the frontier hereafter without the aid of Her Majesty's troops, I hope to establish a cluster of farms in Victoria, so arranged that the farm houses may be placed within reach of mutual support; and I have already numerous applications from respectable young farmers of some capital and bonâ fide occupants; among them, one party of ten Dutch burghers, who would come into my views in this respect, should I be allowed to place them on Government land by grants, on quit rent, instead of putting these frontier farms up to auction for sale as freehold, by which they generally fall into the hands of land jobbers and remain unoccupied. In South Victoria there is an instance of eight farms of about 6,000 acres each, thus monopolized by one speculator, and never yet occupied.

If the above measures can be realized, there will scarcely be any occasion for regular troops within the colonial boundary at all, so long as the one great advanced post of British Kaffraria be maintained; but my opinion as to the disastrous consequences which would, I believe, inevitably result from the abandonment of that advanced post at this present time, has been already sufficiently expressed in my former Despatches.

With reference to British Kaffraria, I have little to add in addition to my Despatch, dated 15th ultimo, since which one month's time has expired, but which Despatch I regret to learn has only been forwarded from Cape Town by the "Sarah Sands" steamer, on the 11th instant.

My information received from the Chief Commissioner and the Gaika Commissioner, continues to be perfectly satisfactory, and the Gaika tribes, lately in rebellion, appear to be settling down contentedly in their new location.

As to the portion of British Kaffraria immediately adjoining the colonial border, the conduct of the chief "Siwanni" and his tribe, who occupy the greater portion of a broad margin on the left bank of the Keiskamma, is most exemplary, and his fidelity throughout the whole contest gives me full confidence not only in his good faith, but his power to restrain his people from lawless intrusion into the colony.

The remaining portion of that margin reaching to the Royal Reserve, which is in military occupation, formerly the possession and stronghold of the marauding chiefs, Stock and Tola, and which from its intricate nature would, under present circumstances, have been untenable by Europeans, is about to be occupied in the course of this month by the loyal chief "Kama" and his tribe, who, entirely with their own consent and desire, are about to migrate from the neighbourhood of Whittlesea, and take possession of it. This faithful chief and his sons did good service during the late rebellion as paid levies, on the side of the British Government, against the chief Kreli and the Tambookies.

Thus, not only the last remaining Kafir chief within the colony will have removed beyond the border, but a chain of trustworthy and loyal chiefs will be placed in contact with the colony, in the room of the lawless and restless occupants who have hitherto tenanted the woods and kloofs of the "Keiskamma."

So long as we can maintain the Amatolas and royal reserve, the Gaikas in their new location will be easily controlled, by the increasing population in the former deserted though profitable country of the Windvogel-berg, which I propose shall form part of the new district of "Queen's Town," for it is almost all an open country.

Letter from Mr. Shaw. March 5, 1853.

I enclose a report recently received from the British resident to the Transkeian tribes, which shows the favourable state of feeling among the Kafir nations extending to the frontier of Natal.

The general aspect of affairs induced me, after consulting the Executive Council, to abrogate martial law in the districts of Graaf Reinet, Cradock,

Somerset, Uitenhage, and Port Elizabeth, but retaining that power in the frontier districts of Albany, Victoria, Albert, and Fort Beaufort, for the reasons stated in the enclosed proclamation.

CAPE OF GOOD HOPE.

Proclamation, dated March 23, 1853.

Enclosure No. 1.

Encl. No. 1.

King William's Town.

Memorandum to serve as general instructions to a Commission appointed to meet at Eland's Post.

With a view to termination of the troubles which have prevailed for the last two years, and the restoration of peace and good order, it is very desirable that some steps should be taken without delay towards the settlement of the Kat River.

Even the knowledge that such an endeavour is being made with just and benevolent intentions will do much to reclaim the misguided part of the Hottentot community, and to confirm those that have been loyal.

I propose, therefore, that the two assistant Commissioners, assisted by the Rev. Mr. Calderwood, should assemble at Eland's Post, as soon as convenient, and form a Board.

The precise mode of proceeding of that Board I would leave to the Commission itself to arrange, when after a closer inspection of the existing state of things among the Hottentots, they may judge better than I now can as to what course would be best to pursue.

I think the investigation of this Commission should, as one principal object, have in view the state of property and the claims of those who have been faithful, as well as what lands may be considered forfeited or otherwise vacant, in order that a subsequent Land Commission may immediately follow to give regular titles and carry out the suggestions of the Commission, for occupation of vacant or forfeited property by a mixed community.

Also I wish to be advised as to a fit person to be appointed resident magistrate at Eland's Post, an appointment which I think necessary, and should be made as soon as possible.

I have, &c.

(Signed) GEO. CATHCART.

A true Copy.

(Signed) W. P. LIDDLE, Private Secretary.

Enclosure in No. 1.

Encl. in No. 1.

GENERAL ORDER, No. 150.

Head Quarters, Graham's Town, March 20, 1853.

Four companies of Fingoes will be enrolled from the 1st of April next for six months; two of them from the Peddie Fingoes, two from the Fort Beaufort and Alice Fingoes. Each company to consist of one captain, one subaltern, three serjeants, and sixty men.

This Fingoe corps will be placed under the command and superintendence of Captain Davies, who will also be the paymaster of the corps, and receive 15*s.* per diem.

The officers to receive the usual pay and allowances of officers of the line; the sergeant to receive 1*s.*, and the men 4*d.* per diem, and whenever any portion of this corps is employed with troops or at military posts away from their locations they will receive the usual rations, but not otherwise, and under no circumstance are rations or commutation in lieu to be claimed for their families.

The immediate object of this Fingoe corps is to have an available force distributed along the borders at or in the vicinity of the following stations:—Peddie, Victoria, Alice, and Fort Beaufort, for the prevention of cattle thieving and to preserve the favourable relations which have existed with that people during the continuance of the war, but the whole are liable to serve elsewhere when required by the officer commanding on the frontier.

The following officers are provisionally appointed to this corps:—Captain Commandant Davies, Captains Tainton, Campbell, Cumming, Lieutenants Vice, Buchner, Edge.

(Signed) A. J. CLOETE,
Quartermaster General.

CAPE OF GOOD HOPE.

Encl. in No. 1.

Enclosure in No. 1.

SIR, British Residency, Morley, March 5, 1853.

I HAVE the honour to acknowledge the receipt of your two letters dated respectively 17th February.

The announcement and proclamation of peace with the chief Krelie is now universally known; it is the theme of constant conversation among all the tribes, and has produced a thrill of joyous excitement from one end of the territory to the other. The Galekas, especially, regard this auspicious change in their circumstances with the most pleasurable sensations, pleasingly illustrative of their undisguised satisfaction in being restored to the favour of Her Majesty's Government. The chief Krelie himself, in concert with his people, is most anxious for the return of missionaries and traders into his country, and also of the late resident, Mr. Fynn. This sufficiently indicates his anxious desire to revive his intercourse with Europeans, and fully manifests (whatever his past conduct may have been) that having now humbly submitted he seeks for the return of Europeans as a *test* of his *sincerity* and *determination* to foster and maintain friendly relationship with Her Majesty's Government. At this time there are but few Hottentots left in his country, and those that are there are in a state of the greatest destitution, and now severely *feel* the effects of their rebellious conduct.

The greatest tranquillity prevails throughout the entire territory, from the river Kye to the frontier of Natal, and all the tribes avow, without any reservation, their high satisfaction at the restoration of peace. This is particularly the case with the friendly tribes who have never wavered in their fidelity during the whole war, although repeatedly urged to join the hostile party. They now rejoice in their constancy, and are fully convinced, notwithstanding the numerical superiority of the belligerent tribes, that they have been unable to contend successfully against Her Majesty Government, but, on the contrary, have been entirely overcome and forced into humble submission. I trust this view of the case will exercise a powerful influence in confirming them in their heretofore faithful conduct, and thus tend to cement them in a permanent and advantageous union with Her Majesty's Government.

I have, &c.
(Signed) M. B. SHAW,
British Resident, Trans-Keian Tribes.

W. F. Liddle, Esq., Private Secretary, &c. &c.

Encl. in No. 1.

Enclosure in No. 1.

PROCLAMATION.

By his Excellency Lieutenant General the Honourable Sir George Cathcart, Governor and Commander-in-Chief, &c. &c. &c.

WHEREAS my predecessor in this government, Lieut.-General Sir Henry G. W. Smith, Bart., G.C.B., by his proclamation bearing date the 25th day of December 1850, did, for the reasons in the said proclamation assigned, place under martial law the districts of Albany, Uitenhage, Port Elizabeth, Fort Beaufort, Somerset, Cradock, Great Reinet, Victoria, and Albert:

And whereas, by the mercy of Divine Providence, the suppression of the rebellion of the Kafirs, Tambokies, and Hottentots who took up arms against Her Majesty's authority has been fully accomplished:

And whereas, the chiefs and tribes lately in rebellion have been duly punished, have made full submission, and have thereupon had extended to them Her Majesty's most gracious and merciful pardon, whilst those frontier Hottentots who so wickedly and wantonly revolted and joined themselves to the rebel Kafirs, have been killed or convicted, or have dispersed themselves in the hope of escaping punishment:

And whereas, the peaceful aspect of affairs upon this frontier is now such that, without detriment to the public safety, or to the ends of justice, martial law may be withdrawn from certain of the places in which it has hitherto existed; although it be expedient to prolong martial law in certain of the said other places, in order to the preservation of the salutary power of trying by courts-martial marauding rebels who, though none such have recently been discovered by the police, may for some time to come be expected as fugitives from justice to linger in the bush:

Now, therefore, I do hereby proclaim, declare, and make known, that from and after the promulgation of these presents, martial law shall cease to be in force in the districts

or divisions of Graaf Reinet, Cradock, Somerset, Uitenhage, and Port Elizabeth, anything contained in the said or in any other Proclamation to the contrary notwithstanding; and I do hereby further proclaim and declare that from and after the promulgation of these presents, martial law shall, by virtue of these presents, be in force throughout the respective divisions of Albany, Victoria, Albert, and Fort Beaufort.

God save the Queen.

Given under my hand and seal at Graham's Town,
this 23d day of March 1853.

(Signed) GEORGE CATHCART,
Governor.

By command of his Excellency the Governor.
WILLIAM F. LIDDLE,
Private Secretary.

No. 2.

No. 2.

COPY of a DESPATCH from Lieutenant-General Sir GEORGE CATHCART to the Duke of NEWCASTLE.

(No. 59.) Graham's Town, March 15, 1853.
(Received May 30, 1853.)

MY LORD DUKE, (Answered, No. 74, June 14, 1853, page 67.)

IN a letter dated Burgher's Dorp, 29th November 1852, I repeated my firm conviction, frequently expressed in former Despatches, that the only way in which South African aborigines who may have been expelled can be prevented from returning, is by immediately replacing them by some other occupants of sufficient energy, and in sufficiently dense allocation to provide for mutual support.

The necessity for prompt action in these measures, where a delay of three or four months return of post might prove fatal to the object, has induced me to act at once, but provisionally, pending Her Majesty's confirmation in respect to the village of Queen's Town, and the enclosed memorandum marked A. will furnish the satisfactory report of the success of that measure, which cannot fail to provide for the security of the frontier without the aid of Her Majesty's troops north of the Amatolas, and the introduction of a well-organised and sufficiently dense burgher population in the portion of British Kaffraria called the Windvogel-berg country will furnish a ready and powerful auxiliary force for the complete control of the Gaikas in their new location; besides which, it will at once open the most direct and advantageous line of communication for purposes of trade from the upper countries, and even the sovereignty, with the port of East London, by a road with scarcely a hill on it, whereas all the other routes must climb over several formidable mountain ranges, often impassable in bad weather.

A.

I am now about to adopt a similar course in respect to the establishment of a town or village at Blinkwater, on the forfeited lands of the rebel chief Hermanus, to be occupied by comparatively poor but more industrious and therefore more respectable and profitable tenants than the generality of those of the present generation, who are entirely dependent on the Commissariat expenditure, and who swarm about military posts, but are generally themselves incapable of industrious habits when the occasions and emoluments of war shall have ceased. By this measure I hope in due time to cover the Kroome range, and provide for the occupation of its several kloofs without the assistance of Her Majesty's troops.

But independently of the advantages I anticipate from this system of villages and small farms as a means of providing for mutual defence and support, I hope to remedy a great evil which militates against the prosperity of the country; that is, a most pernicious system of land jobbing, by which tracts of country are monopolized by purchasers of from 6,000 to 18,000 acres, which are often not stocked or held by *bonâ fide* farmers, but are retained by speculators, unoccupied, awaiting better prices.

There are no villages or towns whatever in the whole country, and valuable garden ground with capability of irrigation, which might support a large population of industrious villagers, remain waste lands.

CAPE OF GOOD HOPE.

This system originated in the old Dutch colonial custom of the 3,000 morgen, *i.e.* about 6,000 acres-farms; but the case was very different when they had slave or compulsory labour, though even then it was vicious.

The boers when deprived of slave labour found this to their cost and "trekked;" the English land jobbers bought their farms, and the colonial Government persevered in an improvident system of granting lands on the frontier to any extent. Hence also, unless there be an army of the Queen's troops to do duty as herdsmen and shepherds, farmers on the border cannot live on their farms, or keep their flocks and herds, for there is no industrious white labouring class.

There is not in the three districts of Albany, Fort Beaufort, and Victoria, with the exception of Bathurst, where a population was introduced on a different principle, one single hamlet, village, or town; unless a few houses surrounding military posts or garrisons, chiefly occupied by followers of the army, can be so called. Graham's Town and Fort Beaufort are little more than this; they owe their existence almost to military support, and fortunes made in successive Kafir wars by army contracts; and although the necessities and luxuries of a garrison bring traders, army contractors, and others of that adventitious, and too often by no means respectable, class about them, there is no rural, no industrious, white population; no working class in the whole country, and never can be so long as this vicious system is persevered in.

To obviate this evil, and place this country in the same position as that of every other civilized country in the known world, where slavery is not available for compulsory labour, it is essential to provide for a working class—a rural population, and this can only be done by economising as much as possible all garden ground, and lands capable of irrigation, for gardens or small farms, and there establishing compact villages, not for land jobbers, but for *bonâ fide* poor industrious inhabitants.

Then indeed emigrants may come out and live, and prosper, but until then, they can only do so to supply the place of the abolished slave labour, and become herdsmen to bankrupt farmers, in a land where no food is grown to feed them, though rich and fertile garden ground lies idle on the banks of every stream.

Villagers will not perhaps, in the first generation, supply the wants of farmers in respect to servants, but trades will flourish, and they will increase and multiply, and in the second and third generation there will be an abundance of people capable of supporting large families, and sending out their sons as good and honest labourers, and when out of work they will find food at home, and many of them will grow rich by honest industry; and such are more likely to form a respectable community than those who trust to adventitious aid.

I have, &c.

(Signed) GEORGE CATHCART,
Governor.

The Duke of Newcastle,
&c. &c.

Encl. in No. 2.

Enclosure in No. 2.

MEMORANDUM.

1. THE plan proposed by his Excellency the Governor of providing for the occupation and security of that portion of North Victoria vacated by the forfeiture of lands, according to the terms of his Tambookie Proclamation of the 23d November 1852, seems likely to be attended with the most beneficial results.

2. The leading principle of this plan may be said to be the discouraging the baneful system, so long prevalent in the colony, of dispersion of the inhabitants, as well as that of allowing large tracts of country capable of occupation to fall into the hands of the land speculators, and to lie waste and unprofitable; and the substitution instead the granting of farms of a moderate extent, on the conditions of accupation, the payment of a reasonable quitrent, and the performance of burgher duty for the purposes of self-defence.

3. The Board, of which Mr. Calderwood the Civil Commissioner of Victoria is the president, appointed by his Excellency to carry out these measures have succeeded far beyond their most sanguine anticipations, and there is no reason to doubt that similar success will attend the extension of the system to Blinkwater and other places.

4. A new town, "Queen's Town," has been formed under very favourable auspices. The Assistant Surveyor General, Mr. Robinson, has laid it out on a plan very easily

defensible. One hundred (100) erven have been granted to "bonâ fide" occupants, and the town has now had a sufficient start to make the acquisition of land there matter of public competition. A grant has also been made there to the Dutch Reformed Church on condition of building a church, which will make it the resort of the Dutch farmers in the neighbourhood. Eighteen (18) houses are already finished, and building operations are in active progress.

5. Queenstown is admirably situated as a barrier of defence for the frontier. It lies on the direct line of road from Bloem Fontein, the chief town of the Orange River Territory, through Aliwal on the banks of the Orange River to East London, the port of British Kaffraria, and it cannot fail to hold a very important position amongst frontier towns. It is well supplied with water and firewood, and wood for building purposes can be obtained at the Judwi, not far off.

6. There have been eight hundred (800) applications for grants of land under the new tenure. The portion of North Victoria available is computed to contain only two hundred and fifty (250) farms, but it is proposed by his Excellency to add the vacant country lately occupied by the late tribe of Mapassa, which will supply the space required. If to these two tracks of country be added a portion of the district of Cradock, too far removed from the seat of magistracy, a separate and convenient district might be formed.

7. One hundred and fifty families (150) have been already located in farms. Mr. Robinson is pursuing a plan much approved of by the people themselves, of placing clumps of families in suitable positions, radiating from a centre, which will be the site of their residences, and thus form a set of posts. The most important of these locations will be fixed in positions adapted for defence and general muster should any disturbance break out.

8. As in the allocation of these lands, by the direction of his Excellency, preference is to be given to the claims of those who have done good service during the late perilous times. The new district and town of Queen's Town will, it is hoped, furnish a numerous band of able defenders of their country.

(Signed) J. W. Ebden,
Assistant Commissioner.

Grahams Town, 15th March 1853.

No. 3.

No. 3.

Copy of a DESPATCH from Lieut.-General the Hon. Sir G. Cathcart to the Duke of Newcastle.

(No. 19.)

Graham's Town, 12th June 1853.
(Received 30th July 1853.)

My Lord Duke,

In acknowledging the receipt of your Grace's despatch of the 14th April, No. 53, on the subject of British Kaffraria, I am happy to be able to report most favourably in respect to all circumstances connected with that portion of the Crown possessions intrusted to my government.

The Gaika tribes appear to have settled quietly and submissively in their new location, and the communication between King William's Town and Queenstown, by the road which forms the western boundary of Sandilli's new location, is now travelled by traders, with trains of waggons, in perfect confidence, and without a single occurrence to throw the slightest doubt upon its security.

A trader has received a licence to establish himself at the Kabousie Neck, where there is a military post, and which is the eastern entrance to the Amatolas, through which an excellent road has also been opened. The object of this trader is to cut and transport the valuable timber of that district, by the above-mentioned line of road, to Queenstown, and thence possibly to the district of Albert, where no timber grows, and which has hitherto been in a great measure dependent upon the country south of the Katberg Mountains. The advantage likely to be gained by opening this easy communication, through a perfectly open and nearly flat country, will not only benefit the northern consumers, but will tend materially to the accomplishment of the great object I have in view, of bringing settlers into the country, through which it passes, in sufficient numbers, for mutual support.

The greater part of that country, forfeited by the Tambookie Chief Mapassa, was already a portion of the colonial district of Victoria, and the remainder is that part of British Kaffraria separated from the former by the very unsatisfactory boundary of the Swart Kei, and which I have already proposed should be transferred to it.

CAPE OF GOOD HOPE.

By that transfer, your Grace will observe that the great Amatola range will become the recognized boundary, as it already is the natural one, of that district of country; and, unless it be filled up, and both banks of the Swart Kei inhabited by burghers and farmers, it will not long be possible to keep it untenanted by squatters of the worst description, and of all races; and that, as it projects far into the colony, this evil cannot fail to be attended with dangerous and inconvenient consequences.

Although great progress has been made at Queenstown and the adjacent country in its occupation and in a most satisfactory manner, I regret that the uncertainty as to the ultimate views of Her Majesty's Government in respect to British Kaffraria has necessarily suspended measures that I had in contemplation for the occupation of the forfeited Gaika territory, including the Amatolas, which I had reason to hope might have been attended with equal success, and I have therefore contented myself for the present with laying out the village at the Keiskamma Hoek, and the provisional grant of about 30 erven, or building lots, at that post, most of which are already occupied, and I have also given leave to the clergyman at King William's Town to go on with his church, which is so solid and elaborate a structure that it is not likely to make rapid progress. I have adopted these measures in order that the Kafirs should not suspect that there is any hesitation on the part of Her Majesty's Government as to the intention of holding permanent possession of the country, for to give any hopes of a return to the Amatolas would unsettle their minds and be productive of much mischief.

The faithful chiefs Kama, Siwani, and Pato, who now occupy the left bank of the Keiskamma, continue to evince their loyalty and their power of controlling their people, and not a single theft has occurred across the frontier for this last five months. Those chiefs and tribes are evidently making some progress towards civilization, and the chief Kama, who is a Christian, and far superior to the rest, having now joined this "cordon," I am not without hopes that they are capable of deriving benefit from religious instruction and education, which I fear will not be the case with the Gaikas and the tribe of Umhala for many years to come.

The chief Kama, and his sons and people, did active service under the command of Captain Tylden during the war against the Tambookies and against Kreli, but, naturally, were averse to taking part against the Gaikas, with whom they are related; Kama having married Macomo's sister.

I much doubt the policy of arming one Kafir clan against another, and should only require obedience and non-interference, as in the case of the T'slambies during the war; but, I hold Pato responsible for the road through his country to the Buffalo Mouth, Siwani for that by Line Drift, and Kama, now, for that from King William's Town to Fort Hare; and Sandilli will be held responsible for the new great northern communication, as far as it passes his location.

I have &c.

The Duke of Newcastle, &c. &c.

(Signed) GEORGE CATHCART,
Governor and High Commissioner.

No. 4.

No. 4.

Extract of a DESPATCH from Lieut.-General the Hon. Sir G. Cathcart to the Duke of Newcastle, dated Graham's Town, 16th August 1853 (Received September 29, 1853.) (Answered, No. 138, October 13, 1853. Page 68.)

(No. 37.)

"Referring to a letter of the 11th February 1853, No. 51, addressed to your Grace's predecessor in office, on the subject of the government of British Kaffraria, in which I noticed the circumstance of the Letters Patent constituting that portion of the Crown possessions a lieutenant government, dated 14th December 1850, being in existence, but not hitherto promulgated or acted upon, and asking for instructions; I have never received any answer to that Despatch, beyond the acknowledgment of its receipt, and I am placed in a very unsatisfactory and difficult position, until I can receive the instructions of Her Majesty's Government on this subject.

I well know that in the unsettled state of things, and until the end of the

war, it would have been difficult, if not impossible, for Her Majesty's Government to decide as to the future policy to be adopted in respect to British Kaffraria, but now the time has come when it is all important that I should be informed of the decision of Her Majesty's Government in this respect.

* * * * *

The letter to which I refer says nearly all I could add to the other information already in the Colonial Office on the same subject; but there are one or two points, in the anomalous circumstances of this insignificant, though troublesome portion of the Crown possessions, concerning which I think your Grace has not been rightly informed.

This portion of country has never as yet been in any way connected with the Government of the Cape of Good Hope, or considered as annexed to that settlement. That portion of it which includes the Amatolas and the country to the south of that mountain range, cannot be safely added to the colony or placed under colonial laws or management, for obvious reasons, more especially under the new constitution.

Were they to be so placed, the most reckless squatting and attempts at colonization in the midst of the powerful native tribes who are in possession would be the result. The native clans could not in their present state be made amenable to the laws of the colony, and quarrels would be unjustly provoked, in some cases it is to be feared designedly, and in the hope of involving the British nation in a war which must ultimately tend to expulsion and acquirement of more land for the benefit of those who covet it; the issue of such a contest, as on former occasions would probably after the expenditure of much money no doubt be the advancement of the colonial boundary to the Great Kei; but then precisely the same state of things would as far as protection and security is concerned, be only removed to the country between the Kei and the Bashee, and next to the Umzinwooboo, and so on to the frontier of Natal, after a succession of periodically renewed Kafir wars.

With respect to that portion of the district of country north of the Amatolas, which possibly was originally laid out hastily on the map without sufficient consideration of its real topographical circumstances, it is a point of land no doubt easily defined on the map by the course of the Klip Plaats and Zwart Kei rivers, and protrudes into the colony north of the remarkable mountain range of the Amatolas, which would afford a natural boundary of the most desirable description; for through it there were only two places where even a horse could pass, until recently, since the peace, the troops have rendered one of these a waggon road leading from the Kabousie Neck in a direct line to Queen's Town. In fact, there never was any practical connexion between this northern portion of British Kaffraria and the Kafir districts properly so called, and the Chief Commissioner had little or no control over it; it was originally a bushman's country, and after the last chief, nicknamed Windvogel, was killed and his people dispersed it was vacant, and subsequently it was granted to the Tambookie Chief Mapassa, who never was able to occupy it adequately, and now having been forfeited by his rebellion, and left entirely vacant by his death and dispersion of his people, if we do not occupy, it is liable to become the haunt of all descriptions of lawless intruders, Kafirs, Tambookies, and squatters of all sorts. Whilst, on the other hand, any of the maps or diagrams I have submitted with recent despatches will show, that it is a geographical intrusion into the colony, and that the supposed colonial boundary is a mere stream, fordable at all places, and across which it would be impossible to prevent cattle coming to drink from trespassing; whilst the colonial magistrate could have no jurisdiction across it. Colonial laws prevail on the left bank and none at all on the right.

Your Grace's Despatches hitherto received only tell me that my arrangements and proposals must be considered provisional and intermediate, but I feel the imperative necessity of acting in this case, and I am taking measures to annex this piece of country to the colonial district of Queen's Town, in order that the resident magistrate's jurisdiction may extend to both banks, and that I may fill it without loss of time with a sufficient population of loyal colonists of European extraction, not only to keep possession of it and turn its valuable resources to profitable account, but to give a great auxiliary power for maintaining the Amatolas and controlling the Gaikas now located on the Kei, with less occasion for military support or assistance.

The arrangements for this measure are not matured, at least, my project is

CAPE OF GOOD HOPE.

still in the hands of the Attorney General for completion in due form, and to be submitted to the Executive Council for their opinion; but the thing appears to me so essential, self-evident, and urgent, and Sir George Clerk, with whom I conversed on the subject is so entirely of the same opinion, that I hope by next mail to report the completion of the measure as far as I am concerned or have power, and will submit it then for the confirmation of Her Majesty's Government."

No. 5.

No. 5.

Copy of a DESPATCH from Lieut.-General the Hon. Sir George Cathcart to the Duke of Newcastle.

(No. 38.) Graham's Town, September 13, 1853.
(Received, October 26, 1853.)

My Lord Duke,

Since my last Despatch I have little new to report in respect to the affairs of the eastern frontier, which continue in all respects to bear the most satisfactory and promising aspect that could be desired.

The only events which have occurred worth notice are the death of the prophet "Umlanjeni," and the Hottentot leader, "Hans Brander," individuals who proved, the one by his extraordinary superstitious influence, and the other by his daring and enterprise, two of the most troublesome promoters of the late rebellion.

"Umlanjeni," whom I have always thought it best to treat with contempt, and never even to notice, having fallen into disrepute with most of his former followers, being in bad health and apprehensive about his personal safety, not having been even named or noticed in the general pardon, went not long since, it seems, to Sandilli, some say to try to revive his old influence by suggesting mischief, but I believe merely to seek protection. Sandilli sent him away, telling him he had proved a false prophet, and had brought nothing but misfortune on his people; and desired him not to approach his kraal on any pretence.

Umlanjeni took shelter in a neighbouring kraal, where he lingered for some weeks and died. He was buried on the 28th ult., without any marks of respect, and the Kafirs appear, outwardly at least, to look upon the event with unconcern.

It is, nevertheless, a good riddance, for had he lived the slightest turn of events might have restored his influence, and rendered it as troublesome as ever.

Brander died somewhere in the country beyond the Bashee,—the resort of the small remnant of Hottentot outlawed rebels,—of the wounds received in the last encounter with the police and a detachment of the 12th Regiment, when his band of 40 Hottentot desperadoes were dispersed, and nearly all ultimately killed or mortally wounded.

I availed myself of the leisure afforded by the interval between the departure of the post for England and the arrival of the expected mail to visit British Kaffraria, and arrived at King William's Town on the 25th ult.

I was much gratified to find that all my instructions in respect to opening important roads, passable for guns and waggon trains, through the Amatolas, by military labour, under the orders of Major General Yorke, and the zealous and judicious superintendence and arrangement of a most able officer, Major Tylden, Royal Engineers, had been carried out in a manner which surpassed my most sanguine expectations, both as to the amount of work done, and the efficient results. One road, over the northern barrier of the Amatolas, from the Kabousie Neck into the Windvogelberg country, is a work of great military importance, and I had equal reason to be pleased with the improvement of the defensible field works which form the several out-stations already reported, and the substantial and comfortable manner in which the troops have been made to hut themselves within them.

No. 1.

The enclosed statement, No. 1, will give further details upon this subject.

I regret that in consequence of a desire expressed by Major General Yorke since the termination of the war of rebellion, to be relieved from his command

in British Kaffraria, and the sanction of the general commanding in chief conveyed to me by the military secretary, and which reached me on the arrival of the English mail at King William's Town on the 28th ultimo, that I am deprived of the further assistance of an officer in whom I could at all times place the most perfect confidence, and who conducted the responsible duties of his command at all times entirely to my satisfaction, and especially during those occasions on which other duties called me to a distance.

The public service is much indebted, not only for his zealous and able performance of his military duties, but the sound discretion and cordial co-operation on every occasion with the Chief Commissioner of British Kaffraria in all matters of a civil or political character, in which their mutual responsibility was involved.

Major General Yorke has received leave of absence to return to England, and, pending definitive instructions, and based on the provisional authority of the General Commanding in Chief, conveyed in the letter from the military Secretary, I have appointed the senior officer of the 2d Division in Kaffraria to take the command, Lieutenant-Colonel Nesbitt, 60th Rifles, and have provisionally sanctioned his receiving pay as colonel on the staff, on the same authority.

I have no colonel available in the command for this appointment, Colonel Buller, Rifle Brigade, being in command of the 1st Division, at Fort Beaufort, where the head quarters of the Rifle Brigade are at present quartered, and that regiment being under orders to go home.

When the three other regiments go on to India I should not consider the remaining frontier force under my command as requiring to be formed as two divisions, but the two battalions and the portion of the Cape Corps stationed within the colonial boundary would be sufficiently controlled by their respective commanding officers reporting to head quarters, and thus one colonel on the staff at King William's Town I think would suffice, retaining only commandant's pay of 10*s*. per diem, and the staff officers, as already proposed at Fort Beaufort, Graham's Town, and the Amatolas.

But on this head I anxiously look for definitive instructions by next mail.

With respect to the civil and political affairs of British Kaffraria, I am no less anxious in my hopes of shortly receiving some decided expression of the views and intentions of Her Majesty's Government in respect to the government or future disposal of that territory.

I enclose certain statistical information, furnished at my desire by the Chief Commissioner of British Kaffraria; also an address, and a memorial presented to me on my recent visit to King William's Town, by certain residents who have been not only prematurely suffered, but, I am inclined to think, injudiciously encouraged, to take root at that military head quarters, and build substantial stores and houses, some of these of stone, on building lots granted on provisional titles on quitrent; so that, in fact, an unauthorized colony has taken root there, already aspiring to municipal rights, and calling it, in their address to me, as "Our Town."

No. 2. Statistical return of British Kaffraria.

No. 3. Address from inhabitants of King William's Town.

No. 4. Memorial of inhabitants of King William's Town.

No. 5. Form of provisional title.

No. 6. Governor's reply to address.

The substantial and ornamental hewn stone church—painted windows for which I hear have arrived—now in process of building, under the auspices of the Bishop of Cape Town, on some tenure for its site given by my predecessor, but which, I apprehend, as British Kaffraria, though in military occupation, never has been yet declared a Government Crown possession, the grantor had no power to render more valid than that of the provisional erfholders, whilst, from its durable promise, it may have done some good as a demonstration towards the Kafir tribes, has raised false, or, at least, premature notions among the settlers, who now amount to about 1,000 souls. But I trust my answer, a copy of which is enclosed, will suffice to remove all misunderstandings as to their true position.

Until I have power to declare the decision of Her Majesty's Government, as to whether British Kaffraria is to be held as a conquered country in military occupation till further orders:

Or, whether it is to be decidedly retained as a Crown possession:

And, whether the Orders in Council already extant for its government are to be promulgated and enforced:

Or, whether some other course is to be pursued:

I can give them no other answer.

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I trouble your Grace with these Enclosures, as the clearest illustration of the existing state of things as regards the claims or interests of people of European or colonial origin now settled in this portion of Her Majesty's dominions.

In the mean time, having no basis on which to act at all, without the risk of compromising the future policy of Government, unfortunately, inaction has an appearance of hesitation, which militates seriously against the establishment of a settled or well ordered state of things among the late rebels, so essential to security against the recurrence of troubles, similar to those which have so recently been subdued.

Therefore, confining my operations to road making, I have suspended any further measures for occupation of the Crown reserve in British Kaffraria, otherwise than military, till further instructions; and in the mean time, about twenty erfholders only have been provisionally located at the military post of the Keiskamma Hoek in the Amatolas.

But it appears to me that the only two courses open to us are occupation or abandonment; and the only way in which the onus of military occupation can be lightened is, by the introduction of a sufficient number of settlers of European origin, to take part in it; possibly, in time, almost to supersede the necessity for it.

I had interviews with all the principal chiefs of a most satisfactory nature, wishing to restore confidence rather than to intimidate. I called no general or public meeting, but I saw the T'Slambie chiefs at my own residence.

No. 7.
"Minute" of meeting with Kafir chiefs.

I embrace a minute of an interview I had with the Chief Sandilli, in the open country, he having expressed, very respectfully and submissively through the Gaika Commissioner, want of confidence and fear of treachery if he came to a military post; the result of my observation on these occasions is most satisfactory.

The T'Slambies feel their advantage in their prosperity, as the result of their loyalty, and are convinced that it is their best interest and policy to continue to be loyal.

The Gaikas are thoroughly subdued, humiliated, and repentant; they are no doubt discontented at the loss of their favourite lands, but they know that any attempt to recover them would be futile, and renew the calamities which they now suffer, as the consequence of rebellion, with tenfold severity.

The loyal chief Kama, whom I have placed on a portion of land which was once allotted to Macomo, naturally anxious as to the security of his tenure, which rests on peace, asked Macomo's son Namba, the other day, whether he thought there was any chance of the Gaikas striving to recover their land. Namba said there was none; for even if a chief was so disposed, he could not now get his people to follow him.

I am satisfied therefore that, provided the following observances be kept, there is no danger of war on this frontier:—

1. No relaxation of vigilance, or of the necessary precautions, and no too hasty reduction of force before circumstances have gradually rendered it safe to do so.

2. The colonists must be restricted to their present well defined limits on the one hand, and the Kafirs not prematurly annexed to the colony, and subjected to colonial laws or control;

3. But, as recognized British subjects under Imperial rule, allowed to be governed, as to their interior discipline, by their own chiefs, according to their existing laws, and retain for the present those usages to which they have been accustomed, until, through intercourse with Europeans, commerce and education, the gradual work of civilization, shall remove those bad practices which are the most objectionable. This it already has done in a perceptible manner among the better ordered tribes now situated on the border.

Thus will be retained the only practical mode of interior discipline, which, until we can supply its place, is the only method of preventing the evils of anarchy.

The chiefs, however, must be held responsible, and under command; this should be done, not by harsh measures, or exorbitant cattle fines, or a domineering deportment, but by the actual presence of the requisite physical force to convince them that resistance is not only useless, but certain to entail prompt and severe retribution; and then, strict justice and good faith, with a firm but conciliatory demeanour on the part of all Government agents, will secure obe-

dience and even attachment; for I am convinced the Kafir is capable of being so attached.

The contrast also of the prosperity of the loyal T'Slambies, and the misery of the rebellious Gaikas, suffices now to bring to the support of peace the all powerful incentive of self-interest, and the lesson now manifest to all will long be remembered.

No. 8. Reports of 1st assistant surveyor Gen. Robinson (2).

With respect to the affairs of the frontier districts of the colony, "within," your Grace will perceive by the two very able reports of the Assistant Surveyor General, the rapid and satisfactory progress that has already been made by that valuable and zealous public servant, in carrying into effect the measures, concerning which I have already reported, as in my contemplation, as well as my motives and intentions, and for which I have received sufficient intermediate sanction to encourage me to proceed with them on my own responsibility, trusting with confidence that a successful result cannot fail ultimately to secure the final approval of Her Majesty's Government.

No. 9. Proclamation, Sept. 10, 1853.

As an essential part of the arrangement, I enclose the Proclamation, which after duly submitting it for the correction of the Attorney General, and consideration of the Executive Council, I have published, constituting the newly peopled district of Queen's Town, not only a resident magistracy, but a new division, under a civil commissioner, the exigencies of the case having rendered it incompatible with good government that the civil commissioner of Victoria should continue to be held responsible for so important a district, remote from his own dwelling, and when the hitherto deserted country of South Victoria is about also to become densely inhabited by a population capable of providing for their own defence.

With respect to district of Stockenstrom, known also as the Kat River settlement. I have much reason to be satisfied with the judicious management of Mr. Meurant, whom I appointed resident magistrate. He has spared no pains in explaining to the people who remained loyal, and are there still, their true position and circumstances, and the benevolent intentions of Government towards them, and some little assistance having been given them in the way of seed, corn, and implements, gardening and cultivation has recommenced, and the wood cutters in the forest again begin to ply a very profitable trade.

No. 10. Letter from Civil Commissioner.

The enclosed Report from the commandant of the mounted police force, forwarded by the civil commissioner of the division of Albany, will afford additional proof of the peaceable state of the frontier, which has been uninterrupted during the last six months.

I have, &c.
(Signed) GEO. CATHCART,
Governor and High Commissioner.

The Duke of Newcastle,
&c. &c.

No. 6

No. .6

COPY of a DESPATCH from Lieut.-General Sir GEORGE CATHCART to the Duke of NEWCASTLE.

(No.46)

Graham's Town, September 13, 1853.
(Received October 20, 1853.)

MY LORD DUKE,

ON the question of a militia organization for the colony of the Cape of Good Hope, adverted to in your Grace's letter of the 14th March, as it implies a measure which can only be brought into operation by legislative enactment of the future Colonial Parliament, and that at a remote period, it would be premature and unnecessary to advert to it at any length on this ocaasion.

Considering, however, its importance, I have not neglected to obtain what information I can on the subject, and I now enclose the result of some statistical inquiries I have made through the civil commissioners and field cornets of the several divisions, with a view to ascertaining the probable numbers of men capable of bearing arms in each, and their relative proportions of Dutch speaking and English speaking people.

This distinction is of much importance as regards the militia question, for the two elements of the body politic, thus denoted, have never amalgamated; the repelling causes are no doubt assignable to both sides in equal force, and I am of opinion, that when each party becomes aware of the common interests

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and their relative positions, by the concentration of public opinion and power in one common focus, that a much more cordial intercouse and even intermixture of races will take place than has hitherto been the case.

The importance of a due attention to this fact as regards the militia question results from the strong antipathy of the Dutch in this colony to any military organization; they all call out loudly for a burgher law, which would restore to them their former powers and energy for self-defence, and even in aid of Government in the general protection of the colony, under certain necessary restrictions, and that will no doubt be one of the first measures insisted upon and probably carried by the Dutch majority.

The English, on the other hand, in the more exclusive English districts, appear to be adverse to any old Dutch institution of the sort, and would prefer some militia system more analogous to their accustomed notions, whereby service might be performed, either personally or by deputy, by paying for a substitute.

But, without troubling your Grace further on the militia question on this occasion, I will explain that my motive in losing no time in forwarding the statistical information contained in the enclosures is because I think it gives in the meantime a good criterion by which we may form an approximate calculation of the division of votes which is likely to influence the two great parties into which the future parliamentary politics of this colony must inevitably be divided.

Although it does not of course follow that the Dutch-speaking men of a field cornetcy, capable of bearing arms, are necessarily all the same who will form the constituency, yet, ceteris paribus, the relative proportions of voters in each field cornetcy, at present entertaining opposite prejudices, will most probably come out nearly in the same ratio. According to this, the general average of those white men habitually speaking Dutch to those habitually speaking English will be about four to one in favour of the former. But it will also be observed that in some field cornetcies they are almost exclusively of one denomination.

For reasons above stated, and in so far as the observation and inquiry has as yet enabled me to judge, I own I doubt the possibility of passing a Militia Bill of general application through the future Parliament of this colony; but I also think that a burgher law sufficiently stringent, but also duly guarded from abuse or misapplication, would prove even more efficient and better suited to the peculiar circumstances of this people and country.

I have, &c.,

The Duke of Newcastle, (Signed) GEO. CATHCART.
&c. &c. &c.

Enclosure in No. 3.

RETURN showing the Number of the Male Population between the Ages of 16 and 50 capable of bearing Arms in the several Divisions of the Colony of the Cape of Good Hope.

Division.	Field Cornetcy.	English.	Dutch.	Remarks.
CAPE	Cape Town	Not stated.		
	Simons Town	48	79	
	Kalk Bay	8	56	
	Fish-hoek	1	44	
	Wildschutsbrand	8	42	
	Cape Downs	—	115	
	Wynberg	130	260	
	Newlands	135	265	
	Rondebosch	110	171	
	Diep River	4	81	
	Papendorp	28	72	
	Kuils River	—	61	
	Koeberg, No. 1.	—	131	
	Liesbeck's River	23	18	
	Durban	7	128	
	High Constantia	27	181	
	Koeberg, No. 2.	2	45	
	Riet Valley, &c.	3	93	
	Tygerberg	10	110	
	Blaauwberg	2	125	
	CAPE DIVISON	546	2077	

Division.	Field Cornetcy.	English.	Dutch.	Remarks.
Clan William	Clanwilliam	19	70	
	Oliphant's River	2	50	
	Onder Bokkeveld	2	79	
	Mouth of Oliph River	1	69	
	Hardeveld	—	40	
	Camiesberg	6	40	
	Namaqualand	9	57	
	Bidouw	—	50	
	Hautam	4	90	
	Onder Roggeveld	1	80	
	Lange Valley	2	50	
	Clan William Division	46	675	
Stellenbosch	Stellenbosch	Not	stated.	
	Environs of do.	5	45	
	Hottentots Holland	18	65	
	Bottelary	3	23	
	Klapmuts	6	20	
	Moddergat	6	45	
	Erste River	5	25	
	Stellenbosch Division	43	223	
The Paarl	Southern Part	8	160	
	Northern Part	2	90	
	Paardeberg	—	40	
	Behind the Paarl	4	50	
	Great Drakenstein	4	55	
	Fransche Hoek	7	70	
	Klein Drakenstein	4	100	
	Wellington	6	120	
	Wagenmaker's Valley	5	80	
	Groenberg	1	47	
	The Paarl Division	41	812	
Malmesbury	Groenekloof	No returns received. Estimated at		
	Do.			
	Do.			
	Saldanha Bay			
	Do.			
	Honingberg			
	Zwartland			
	Do.			
	Riebeck's Kasteel (behind)			
	Riebeck's Kasteel (before)			
	Paardenberg			
	Mosselbank's River			
	Paardenberg (before)			
	Great Berg River			
	Verlooren Valley			
	Malmesbury			
	Piquet Berg			
	Do. (achter)			
	Twenty-four Rivers			
	Malmesbury Division	300	2700	
Worcester	Kareka River	—	65	
	Wagenboom's do.	3	45	
	Worcester	26	294	
	Klein Roggeveld	1	73	
	Komsberg	—	62	
	Achterste Omtrek of Cold Bokkeveld	—	94	
	Achter Hek's River	—	77	
	Voorste Bosjesvelde	10	93	
	Over Hex River	—	136	
	Klein Zwarteberg	5	86	
	Tulbagh and Waterval	5	335	
	Warm Bokkeveld	—	77	
	Carried forward			

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Division.	Field Cornetcy.	English.	Dutch.	Remarks.
WORCESTER—*cont.*	Brought forward - -			
	Middel Bosjesveld - - -	4	73	
	Riet River - - - -	1	44	
	Goudine - - - -	1	83	
	Before Twenty-four Rivers - -	1	166	
	Breede River - -	3	113	
	Groot Visch River - - -	—	85	
	Voorste Omtrek of Cold Bokkeveld -	5	268	
	WORCESTER DIVISION - -	65	2269	
CALEDON - -	Caledon - - - -	24	101	
	Zwart River - - -	10	92	
	Bot and Palmiet Rivers - -	13	90	
	Upper Zonder End - - -	5	60	
	Middle Zonder End - -	10	80	
	Goudine - - - -	8	60	
	Kars River - - -	2	100	
	Bredas Dorp - - -	8	36	
	Zoetendal's Valley - - -	—	35	
	Elim - - - -	1	51	
	Uilenkraal - - -	16	46	
	CALEDON DIVISION - -	97	751	
SWELLENDAM -	Swellendam - - -	30	100	
	Klip River - - -	—	30	
	Behind Cogman's Kloof - -	5	60	
	Tradouw - - - -	6	27	
	Before Kogman's Kloof - -	3	30	
	Bosjesveld - - -	—	40	
	Onder River Zonder End - -	5	25	
	Klutje's Kraal - - -	3	20	
	Potteberg - - -	8	25	
	Breede River - - -	10	30	
	Onder Duivenkok's River - -	—	15	
	Above do. - - -	5	20	
	Riversdale - - -	20	60	
	Krombek's River - - -	3	15	
	Vette River - - -	3	15	
	Springfontein - - -	—	30	
	Langeberg - - -	2	34	
	Groote Zwarteberg - -	8	70	
	Valsch River - - -	5	25	
	Buffel's Kraal - - -	—	20	
	Fontein's Valley - - -	—	30	
	Kafferkuil's River - -	3	40	
	Over Duivenkok's River -	—	25	
	SWELLENDAM DIVISION - -	119	786	
GEORGE - -	George Town and Environs - -	66	75	
	Outiniqualand - - -	15	65	
	Knysna - - - -	25	40	
	Pletterberg's Bay - -	30	32	
	The Lakes - - -	2	46	
	Cango - - - -	11	75	
	Gamka's Flats - - -	4	43	
	Wynand's River - - -	13	60	
	Klippe and Doorn Rivers - -	2	20	
	Grobbelaar's River - -	3	116	
	Lower Oliphant's River - -	5	78	
	Upper do. - - -	7	90	
	Anthony's Berg - -	4	48	
	Before Langekloof - -	24	64	
	Upper do. - - -	5	49	
	Lower do. - - -	2	38	
	Mossel Bay, including Aliwal -	20	180	
	Gouritz River - - -	—	12	
	Attaquas Kloof - - -	2	14	
	GEORGE DIVISION - -	240	1145	

Division.	Field Cornetcy.	English.	Dutch.	Remarks.
Beaufort (West)	Gouph, No. 1	3	38	
	Do. „ 2	1	37	
	Do. „ 3	—	32	
	Do. „ 4	—	36	
	Niemveveld, No. 1	10	28	
	Do. „ 2	12	84	
	Do. „ 3	—	90	
	Do. „ 4	3	34	
	Do. „ 5	5	28	
	Do. „ 6	—	30	
	Zwarteberg	10	61	
	Traka	10	109	
	Rhenoster River	4	27	
	Beaufort	39	42	
	Beaufort (West) Division	97	676	
Uitenhage	Zuur Anys	7	30	
	Zeekoe River	Fingoes		
	Tzitzikama	Do.		
	Klein Winterhoek	Do.		
	Oliphant's Hoek	50	130	
	Corga	60	56	
	Zuure Bron	1	57	
	Bushman's River	19	38	
	Groote Winterhoek	9	69	
	Gamptos River	Fingoes		
	Krome River	—	23	
	Uitenhage Division	146	403	
Port Elizabeth	Port Elizabeth	470	30	
	Bushy Park	17	11	
	Port Elizabeth Division	487	41	
Graaf Reinet	Graaf Reinet	80	217	
	Achter op Sneeuwberg	4	41	
	Buffel's Hoek	5	62	
	Cambdeboo	1	60	
	Zwarte Ruggens	13	34	
	Von Sneeuwberg	12	20	
	Op Sneeuwberg	—	68	
	Richmond	21	42	
	West Uitolugt	—	90	
	East Uitolugt	—	30	
	Graaf Reinet Division	136	665	
Somerset (East)	Somerset	66	34	
	Bairaan's River	53	38	
	Zwaagers Hoek	22	210	
	Bruintjes Hoogte	11	91	
	Upper Bushman's River	20	147	
	Vogel River	1	93	
	East Riet River	18	110	
	Somerset (East) Division	191	723	
Cradock	Cradock	118	74	
	Achter Sneeuwberg	14	80	
	Tarka, South	8	47	
	Fish River	6	81	
	Swart Kei	11	61	
	Brak River	—	91	
	Tarka, North	—	76	
	Vlek Poort	—	67	
	Klaas Smit's River	3	92	
	Cradock Division	160	669	

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Division.	Field Cornetcy.	English.	Dutch.	Remarks.
Colesberg -	Middenveld, North - -	8	86	
	Do. South - -	—	103	
	Hope - - - -	—	81	
	Hautam - - - -	1	114	
	Upper Winterveld - -	5	86	
	Lower Winterveld - - -	3	79	
	Upper Sea Cow River - -	1	145	
	Lower Sea Cow River - -	1	123	
	Rhenosterberg, including Middelburgh	37	52	
	Colesberg - - - -	38	31	
	Colesberg Division - -	94	900	
Albany - -	Graham's Town - - -	610	—	
	Great Fish River - - -	14	32	
	East Fish River - - -	2	37	
	Southwell - - - -	79	—	
	Bushman's River - - -	56	16	
	Upper Rieberk - - -	25	23	
	Lower Rieberk - - -	31	46	
	Bathurst - - - -	107	2	
	Albany Division - -	924	156	
Fort Beaufort -	Koonap - - -	42	43	
	Winterberg - - -	34	17	
	Fort Beaufort - - -	190	—	
	Kat River Settlement - -	uncertain		
	Fort Beaufort Division -	266	70	
Victoria - -	Alice - - - - -	79	—	
	Fort Peddie - - -	29	—	
	Buckkraal - - - -	2	—	
	Waterloo Bay - - -	4	—	
	Queen's Town - - -	100	30	
	Whittlesea - - - -	20	—	
	Shiloh - - - -	5	—	
	Bradford - - - -	15	15	
	Klas Smits' River - - -	3	60	
	Groet Vley - - -	—	20	
	Victoria Division - -	257	125	
Albert - -	Lower Groot River - -	—	141	
	Achter Zuurberg - - -	—	85	
	Upper Groot River - -	—	123	
	Upper Stormberg - - -	—	171	
	Klip Spruit - - -	4	54	
	Washbank - - -	—	74	
	Kraai River - - -	—	140	
	Baffels Vley - - - -	6	43	
	Aliwal (North) - - -	50	10	
	Barnard's Spruit - - -	—	59	
	Burgher's Dorp - - -	60	50	
	Albert Division - -	120	950	

RECAPITULATION.

Field Cornetcy.	English.	Dutch.	Remarks.
WESTERN PROVINCE.			
Cape	456	2,077	Exclusive of Cape Town.
Clan William	46	675	
Stellenbosch	43	223	Exclusive of the Town.
Paarl	41	812	
Malmesbury	300	2,700	No returns received. Number estimated.
Worcester	65	2,269	
Caledon	97	751	
Swellendam	119	786	
George	240	1,145	
Beaufort (West)	97	676	
	1,594	12,114	
EASTERN PROVINCE.			
Uitenhage	146	403	
Port Elizabeth	487	41	
Graaf Reinet	136	665	
Somerset (East)	191	723	
Cradock	160	669	
Colesberg	94	900	
Albany	924	156	
Fort Beaufort	266	70	Exclusive of the Kat River Settlement.
Victoria	257	125	
Albert	120	950	
	2,781	4,702	
Western Province	1,594	12,114	13,708
Eastern Province	2,781	4,702	7,483
TOTALS	4,375	16,816	21,191

No. 7.

No. 7.

COPY of a DESPATCH from Lieut.-Gen. the Hon. Sir GEORGE CATHCART to the Duke of NEWCASTLE.

(No. 47.)

Graham's Town, October 15, 1853.
(Received December 13, 1853.)

MY LORD DUKE,

SINCE my Despatch by last month's mail nothing has occurred to alter the favourable and satisfactory state of things then reported, either in respect to the frontier or internal affairs of the government entrusted to my care.

The weather has been particularly favourable for gardening purposes, owing to a more than ordinary fall of rain during this important season, which is the seed time in this climate.

Among the aborigines, and especially those recently in rebellion, this is likely to be attended with most beneficial consequences, as they have been most actively employed in planting their crops, in the hopes of the peaceable enjoyment of a plentiful harvest, of which benefit they have been deprived during the last two seasons by their own restless and insubordinate conduct, and the just punishment they brought upon themselves by the destruction of their crops.

The Gaikas in their new location appear to be particularly diligent in this respect, and I have taken measures to supply them liberally with spades, which they seek for eagerly, and for which they are very thankful.

This mode of cultivation with spades is somewhat new, and I think should be encouraged, for it is an implement requiring to be used by men; whereas

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their old habits of cultivation were confined almost entirely to the use of the hoe, in the hands of the women, whilst the men remained idle.

In the present stage of civilization I think the employment of spade labour, which is a novelty that has arisen spontaneously among themselves, is preferable to the plough, for they like to have their own separate small gardens, and grow their own corn; whereas the plough implies cultivation on a greater scale, and consequently by some one or two native farmers, capable of understanding its use and calculating the advantages of a superabundance with a view to profit; but both systems are conducive to an improvement and advance towards civilization, and both are encouraged accordingly.

The arrangements which I have made provisionally, and on my own responsibility, and which I consider indispensable to the settlement of the frontier districts, all of which I have reported in former Despatches, and for most of which I have received the provisional sanction of Her Majesty's Government, are in progress; but in British Kaffraria I am obliged to suspend any measures tending to encourage the occupation of that country by settlers until I have some more decided notification of the general policy and future intentions of Her Majesty's Government respecting it.

But the troops have been actively employed in opening roads and constructing dams at certain points, which may secure an abundant supply of water in the neighbourhood of posts, which may render it possible at some future time to lay a sufficient portion of country under cultivation to provide, by a settlement of future farmers, at least the forage for horses in the country itself, and greatly diminish the expense now incurred by importing it from the colony; and, under the protection of the existing military posts, and without exposing such settlers to any personal risk, I hope their example of industsy and commercial intercourse may tend much towards the gradual civilization of the native Kafirs.

It is my intention, so soon as I have despatched this mail, to proceed on a tour of inspection through the Amatolas, and by the new military road, which affords an outlet by Mount Thomas to the Winvogelberg country or new division of Queen's Town, and establish my personal standing camp for some days somewhere on the Zwart-Kei. I have desired the Tambookie Commissioner and the Gaika Commissioner, as well as the Assistant Surveyor-General, and all other public servants for whose assistance I may have occasion, to meet me, and will receive all native chiefs who desire to visit me, but will call no great meeting.

My object is personally to make a final settlement of all details of boundaries and all similar matters, and, so far as may be possible, to obviate all misunderstanding and disputes hereafter. All shall be duly settled and recorded, and, where necessary, beacons set up and diagrams made.

This is a precaution especially necessary in that quarter, as it never until now has been surveyed or occupied; and although to avoid hesitation or delay I have named the Thomas River in my Government notices and proclamations as the demarcation of a small but important portion of the boundary of the location allotted to the Gaikas, and consequently that between them and the division of Queen's Town, subsequent surveys and information induce me, in accordance with a principle in respect to boundary which I have already frequently explained, to substitute a mountain ridge, which is there reported to exist, in a convenient position, for the small and tortuous stream itself, which last is a description of nominal boundary, convenient to the map maker, but practically futile, and thence the cause of constant quarrels and disputes.

I intend also, before I return, to visit the already flourishing town of Queen's Town, and the new farms in that district, and hope to return viâ King William's Town to Graham's Town in less than three weeks from the time of my departure.

I have, &c.
(Signed) GEO. CATHCART.

The Duke of Newcastle,
&c. &c. &c.

No. 8.

Copy of a DESPATCH from Lieut.-Gen. the Hon. Sir George Cathcart to the Duke of Newcastle.

(No. 64.)

Graham's Town, December 15, 1853.

(Received January 31, 1854.)

My Lord Duke,

All the arrangements which I have already reported as in progress, with a view to the future security of this frontier, are being carried out entirely to my satisfaction, and even with an expedition and promise of success beyond my most sanguine expectation. All is peace and security and contentment everywhere; and we are now so strong and so well organized that, I really believe, any serious disturbance is no longer possible so long as the measures which have been adopted be not relaxed, and that injustice or oppression be not suffered to drive natives to revolt.

The measures which have been adopted, in accordance with the intentions of Her Majesty's Government, have been all calculated as much with a view to the benevolent power of intervention between the native and the colonist as to the subjection of the one and security of the other.

Interposed between the colonists and Kafirs, as your Grace is aware, we have a continuous Fingoe location, no Kafir location being now allowed to be established on this side of the Keiskamma.

I have recently visited the division of Victoria in which the Fingoes are located, with a view to a well-defined and equitable adjustment of their allotments. This faithful people, who have evinced their gratitude for the protection given them by their most unexceptionable fidelity and gallant services on the side of Government through three successive Kafir wars, are now proud of themselves, and happy and contented.

I assembled seven of their headmen or chiefs, who reside in the district of Fort Peddie, and who are all independent of each other, but held responsible to the resident magistrate for the good conduct of their people, as field cornets or constables, acknowledging the sovereign as their great chief.

They expressed themselves in the most grateful and loyal terms, and, upon my inquiring if they had anything to ask, the only thing was as to a promise of an annual suit of clothing to the chiefs, which had been observed for some time, but had been of late left off.

I told them that now their condition was improved, and that being held responsible as field cornets for the good conduct of their respective people, and that having behaved so well and faithfully during the three Kafir wars, I would recommend to Her Majesty they should receive a yearly stipend of 10*l.* each instead of the clothing, and that, moreover, I would further ask Her Majesty to be graciously pleased to confer upon each chief a badge of distinction.

One and all expressed themselves most grateful for this promise, and declared they would value it more than anything that could be done for them, for it would raise them in the eyes of the Kafirs, who, it seems, are apt to look down upon them as their former slaves.

I think this boon, trifling as it may seem, would have really a most important effect in confirming and perpetuating the loyalty of these valuable auxiliaries, and therefore recommend its adoption. There may be about twenty who, as hereditary chiefs of clans, might be entitled to this distinction, but I have not yet had time to ascertain the exact number.

The thing which would answer the purpose best would be a badge about the size of a railroad porter's badge, three inches in diameter, with a chain long enough to hang it round the neck. It should be of shining brass, and the chain of the thickness of a jack chain, also of brass, having the Queen's head in bold relief on the side, and possibly a lion couchant, or any other device, on the reverse. The chiefs are extremely fond of bright brass ornaments, and wear numerous large rings of that metal round their arms and legs, which they keep constantly bright; copper would not answer as well, neither would any gilt ornament.

If your Grace thinks well of this, I am sure it would be a most politic and beneficial measure, and the Ordnance Department, who I believe generally pro-

Sketch of

BRITISH KAFFRARIA,

to accompany Enclosure No. 8

in Sir Geo. Cathcart Despatch to the Duke of Newcastle,

dated Grahams Town 14th Feby 1854.

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vide for such services, might be instructed to give it effect with as little delay as possible.

I have, &c.
(Signed) GEO. CATHCART,
Governor.

The Duke of Newcastle,
&c. &c. &c.

No. 9.

No. 9.

Copy of a DESPATCH from Lieut.-Gen. the Hon. Sir George Cathcart to the Duke of Newcastle.

(No. 6.) Graham's Town, January 15, 1854.
(Received February 27, 1854.)

My Lord Duke,

I am happy to say that everything prospers in all parts of my government and its adjacents, and all is profound, and I trust secure, peace.

We have had a most fortunate season, and an abundant harvest of such sorts of grain as this eastern part of the colony can produce.

In Kaffraria the late rebels have settled contentedly into their new location, and some little aid and encouragement having been given them, and possibly having profited by their salutary experience of two years' starvation, they have taken to agriculture with a degree of enterprise never before known. They purchased ploughs, sent oxen to be taught to work, and hired people to plough for them; the result is, that they have more land under cultivation than at any former period, and a most abundant return, and are contented; and what is better, no thefts or other outrages are heard of in Kaffraria.

Here, in the colony, the people are also contented and in good humour, and the police have nothing to report.

The first election process is over at this place, and was accomplished in the quietest manner, without the slightest mischief or indication of evil spirit of any kind.

All the measures, of which your Grace is already cognizant, for the peopling of the frontier districts in a sufficient and systematical manner, so as to secure its own self-protection, are going on admirably and making rapid progress, and are universally approved and very popular.

Dated Jan. 2, 1854.

I enclose a very satisfactory report from the Civil Commissioner of Queen's Town, the new division, which was a virgin desert twelve months ago. It is a fine agricultural country, and now thickly peopled by young enterprising farmers; but, of course, the first year is only experimental.

It is so far most satisfactory, however, to find that wheat will grow there, which it will not down nearer the sea, and consequently the eastern province is almost entirely dependent on importation for bread.

I have every reason now, however, to hope that this new district will eventually prove its almost sufficient granary.

The system of moderate sized farms, covenanted bonâ fide occupation, and the natural advantages of good land, well watered, and adapted for agriculture, will secure its resources being turned to good account.

I regret that, when all is prosperous, and I have no single untoward thing to recount, that I should have been obliged to trouble your Grace with so many and such bulky despatches by this post, but they are of more than ordinary importance; yet, though troublesome to wade through, I am happy to think contain no very difficult obstacles.

The troops are in excellent health, and their state of discipline is most satisfactory. I have no materials to furnish a military despatch, but the troops are not idle; they are constantly improving their respective posts, and many most important lines of waggon roads have been opened through the Amatolas, where formerly it was difficult even to pass on horseback. This is a most essential military advantage gained.

Having already written so much by this post, I will reserve a more satisfactory and detailed statistical report of all the works in progress, which I have in preparation, for next opportunity.

I have, &c.
(Signed) GEO. CATHCART,
Governor.

The Duke of Newcastle,
&c. &c. &c.

No. 10.

Copy of a DESPATCH from Lieut.-General Sir George Cathcart to the Duke of Newcastle.

(No. 14.) Graham's Town, February 14, 1854.

(Received April 20, 1854.)

My Lord Duke, (Answered No. 217, May 19, 1854, page 70.)

I have the honour to enclose a copy of a letter addressed by me, on the 19th ultimo, to the Chief Commissioner of British Kaffraria, on the subject of the present circumstances of that province. Letter to Chief Commissioner, 19th Jan. 1854.

I have, &c.

(Signed) GEO. CATHCART,

High Commissioner.

The Duke of Newcastle,
&c. &c.

Enclosure in No. 10. Encl. in No. 10.

Sir, Graham's Town, January 19, 1854.

I have received your paper on the modes of safely promoting the introduction of white population into the Crown reserve.

I find that I have not sufficiently explained to you the object and intention of the policy which I recommended to Her Majesty's Government in retaining possession of the Amatolas, and the intervening country between that mountain district and King William's Town, recently forfeited by the rebellious Gaikas, and now held as a Crown reserve.

As British Kaffraria is about to be constituted a Lieutenant Government, and not, for the present at least, to be constituted a division of the colony of the Cape, it is necessary that you who are at present in charge of the Government should distinctly understand the object I had in view in recommending this policy.

You are aware that this reserve is shaped something like a triangle, that its northern side touches the colony, but that projecting like a wedge as far as King William's Town, which is nearly in the centre of Kaffraria, both the other sides of the triangle are in contact with the densely populated Kafir lands which surround it on those two sides, the solid contents of which contiguous Kafir lands are five times those of the reserve, and contain a Kafir population of upwards of 60,000 souls. King William's Town itself, you are aware, is 45 miles from the sea at East London, the only road to which passes the whole way through the location of the Chief Pato, and, with the exception of one or two small military posts, is exclusively inhabited by Kafirs.

On the other hand, the whole white civil population in the province is estimated at 1,210, exclusive of the troops, giving a majority of black inhabitants over the white civil inhabitants of possibly about sixty to one, and of the latter 703, or more than one half, are inhabitants of King William's Town.

The annexed diagram will explain what I mean.

Heretofore you are aware that King William's Town was completely an insulated post, and there for some time my predecessor was blockaded in the midst of the Kafir population, and had no communication whatever with the colony, or the white man's land, otherwise than through the Kafir's land, for a distance of some 20 or 30 miles in any direction, and, but for your favourable influence over the Chief Pato, would have been cut off even from the sea; so I found it when I assumed the command.

Now, since the war, King William's Town being the apex of the triangle which projects into Kafirland, has a direct communication through the Crown reserve with the colonial boundary which forms the base about 30 miles distant, but this depends entirely upon the maintenance of our position in the Amatolas.

The proper use of this state of things and this advantage, gained by a long and costly war, is the main point upon which I rest my confident hopes of a permanent peace. The improper use of it would infallibly, ere long, bring on another war precisely similar to the former examples.

Now the proper use, and that which I intend, and on which my hopes are founded, will be explained by the following points:—

1. By the possession and military occupation of the Amatolas, the commanding key to the whole territory, it is intended to keep the Kafirs in subjection by force of arms until it may be safe and prudent to trust to a sufficient moral influence over them, to obtain which can only be work of time, the establishment of a friendly intercourse and mutual good-will, and the acquirement of property by the Kafirs by means of agriculture, and a taste for the wants and luxuries of a civilized state of society, that they may have something to lose, and the inevitable loss of property and social enjoyment would serve as some restraint against the savage propensity to rush into war on slight provocation or pretence.

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2. On the other hand, being placed beyond the colonial boundary, this reserve is intended to serve as a salutary check against the reckless propensity of colonists to straggle on beyond the bounds of legitimate and recognized colonization, as detached squatters, tempted by visions of large profits on extensive farms, and regardless of all risks. This has hitherto been the system and the bane of South African colonization. Such adventurers may thrive for a few years, but either from quarrels about boundaries, or pounding of cattle, or petty thefts, or possibly from the restless character of the native, who cannot but be sensible of the gradual encroachment of the white man, and his constant desire to encroach still further,—suddenly a Kafir war breaks out.

Then it must happen that these thinly scattered and unsupported colonists, surrounded on all sides, being attacked, either are massacred and plundered, or fly the country as best they may with their wives and families, or if they endeavour to make a stand, call out for British military protection. If this be granted, the troops, instead of being available in force for a vigorous chastisement of the rebels and prompt suppression of the rebellion, are obliged to be detached in small parties and marched about the country in the most harassing manner with a view to protecting the lives and properties of this scattered community, and the surprise and destruction of any one of these lone dwellings by the rebels affords a triumph which adds fuel to the flame of rebellion.

Entertaining these views, I consider the military occupation and control of the province of British Kaffraria and its native inhabitants to be the primary object.

Colonization and the full development of the resources of the small portion, the fifth part of the province called the Crown reserve, is entirely secondary, therefore no civil or political measure can be entertained by me which in the slightest degree militates against the primary object, that of military occupation, and a clear field for military operations in the present state of things, or until some years hence, when the present favourable appearances shall not only have been confirmed but improved, then possibly some relaxation in respect to forming additional villages calculated for selfdefence, though not occupied by troops or clusters of defensible farms, may be safe expedients.

In the meantime I wish you most distinctly to understand that I abide by the principles laid down in my Government notice of the 4th February 1853, which it is my intention to republish shortly with some slight alteration as to its details.

Those principles are—

1 That the territory called the Crown reserve is to be held as the property of the Crown.

2. In it, in the immediate neighbourhood of certain military posts, and under certain regulations already provided, erven, or lots of land, may be granted for building houses with the requisite garden ground.

3. That farms of the requisite dimensions, and in suitable places for agricultural purposes, may be let on lease, but these must in all cases be enclosed.

4. No detached farmhouses will be allowed to be built on these farms if beyond one mile from a military post, and no such farms will be granted at all, unless the tenant be a resident in possession of an erf, and with a suitable dwelling in the village authorized to be built within the rayon of the military post.

5. The privilege of free commonage for grazing purposes and firewood, and wood requisite for fences and building purposes, is granted to all proprietors of erven.

6. Any detached farmhouses erected in contravention of this rule, the officer commanding the troops will have orders to clear away as military impediments and incumbrances.

Under these circumstances you will no doubt perceive, that as administrator of the Government of this peculiar province, your attention will still continue to be much more called to the judicious management and control of the Kafir majority of Her Majesty's subjects within your Government, and in which you have proved so eminently successful, than to any premature attempt to colonize the small portion of it which is now left vacant by the forfeiture of the Gaikas, or only partially tenanted by the faithful Fingoes, according to certain regulations and special permission.

And whilst it is no doubt your duty to attend to the welfare and interests of those inhabitants of European extraction who have settled, for the sake of trading, or from other motives within the rayons of certain military posts, and that you are at full liberty to provide for any who desire to cultivate the soil under the above regulations. I must remind you that military control, not colonization, is the principle of policy which has induced me to advise the retention of Kaffraria as a separate Government, independent of the colony of the Cape, instead of annexing it as a new colonial division, or abandoning it altogether.

And therefore the greediness of colonial land speculators must be resisted, for if yielded to, would entirely defeat the main object desired, which is the maintenance of a permanent peace.

I have, &c.

(Signed) GEO. CATHCART,
Governor and High Commissioner.

Colonel Maclean,
Chief Commissioner,
&c. &c.

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No. 9.

No. 11.

Copy of a DESPATCH from Lieut.-General the Hon. Sir George Cathcart to the Duke of Newcastle.

(No. 16.)

Graham's Town, March 14, 1854.

My Lord Duke, (Received May 9, 1854.)

No. 1. Colonel Maclean's Report, March 6, 1854.

I enclose the last report received from the Chief Commissioner of British Kaffraria. Everything in that province continues to bear as favourable an aspect as I could desire, and I have nothing to trouble your Grace with on that subject by this post.

It is my intention to go to King William's Town as soon as General Jackson arrives, with a view to explaining to him the relative positions of the military and civil authorities in that province, and establishing a good understanding between them, as well as to making all such preparations as may be in my power for giving effect to the definitive instructions which may be expected from your Grace in respect to its future government.

I shall probably receive my next English mail at that place

I have, &c.

The Duke of Newcastle, (Signed) GEO. CATHCART,
&c. &c. &c. Governor and High Commissioner.

Enclosure 1 in No. 11.

Encl. 1 in No. 11.

Sir, Fort Murray, March 6, 1854.

Twelve months having elapsed since the proclamation of peace and establishment of order amongst the Gaika tribes, I have the honour of transmitting herewith a copy of a letter from Mr. Brownlee, the Gaika commissioner, containing a report of the state of the district placed under his jurisdiction.

I have also received a report from Mr. Shaw, the Transkeian resident, in which he states that the chief Krili has given evidence of his sincerity and goodwill by intimating in the most decisive manner his intention of severely punishing any of his people who may, by molesting traders or others, involve him with the Government.

I am happy to state that the T'Slambie chiefs have zealously co-operated with me in the preservation of good order, and their people continue to manifest a friendly and industrial disposition; and travellers, and waggons laden with merchandise, proceed at all times in security; and the bearing and the conduct of the tribes generally is also most favourable.

Having, in report No. 132, of the 12th of January last, submitted observations on the general aspect of affairs in British Kaffraria, possibly his Excellency may deem any lengthened report at this moment unnecessary, and I will be prepared at some future time to make a general report of the progress of the province, the re-establishment of mission stations, and advancement made in education and moral improvement amongst the natives.

In conclusion, I beg to state, that I fully concur in Mr. Brownlee's opinion, that the colonists have enjoyed during the last year unparalled security from marauding; and that agriculture and industry are making progress amongst the natives; but to carry out civilization in the full extent of the term must, I fear, be a work of continued effort during successive generations.

I have, &c.

W. F. Liddle, Esq., (Signed) John Maclean,
Private Secertary. Chief Commissioner.

Enclosure 2 in No. 11.

Encl. 2 in No. 11.

Sir, Dohue's Station, March 4, 1854.

A year has now elapsed since the proclamation of peace, and I have much pleasure in bringing to your notice in my annual report the present tranquil and peaceful state of the Gaika district. A severe winter has passed, in which the people have suffered pressing want, and yet have entirely abstained from robberies on the colony; and, thus far, matters have been satisfactory beyond the most sanguine expectation.

Shortly after the proclamation of peace, Sandilli, in a council, publicly announced his determination to punish in the most summary and severe manner in all cases of theft from the colony. While this announcement had its due effect, it could not have restrained

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the Gaikas without the active measures instituted within the colony, for the protection of the frontier districts.

Though it is quite natural that the Gaikas should strongly feel the loss of their land, I have not been able to learn that any project has been organized or planned for its recovery, but, on the contrary, the feeling seems to be that, under present circumstances, any movement would involve them in further troubles without any beneficial results, and all the influential men are decidedly opposed to any outbreak.

At the conclusion of peace, it was the universal belief, that for a long period the colony would be infested by bands of rebel Hottentots. The unexpected and extraordinary freedom from this scourge is to be attributed to his Excellency's declaration to the chiefs, that they should be held responsible for the actions of the rebels whom they harboured. This has induced the chiefs to keep a strict eye upon the Hottentots, and the effects produced by the indefatigable and persevering pursuit of Brander and his band, by a party of police under Commandant Currie, which ended in the dispersion of the rebels with loss, and wounds of which their leader afterwards died, are still fresh in the memory of the Hottentots, and this has had great influence in keeping them out of the colony; but still the leaders of the Hottentots, although unable alone to do mischief, use all their influence for evil amongst the Kafirs.

There is at present considerable ill-feeling among the various tribes beyond the pale of Her Majesty's Sovereign rule, and large seizures of cattle have been made by people of one tribe from those of another, on account of alleged oppression and injustice. Krili is at present involved in a quarrel with Umqaqeui, brother to the late Tambookie chief Umtikaka, he having swept off the cattle of seventeen kraals of the Galekas, amounting to about 1,000 head. Krili has not resorted to arms, but wishes to settle the matter amicably. There have likewise been cases between the Gaikas and T'Slambies, and between the Gaika chiefs themselves, indicating that there is considerable disunion among the various tribes. For the present, therefore, there appears no prospect of a combination.

In the meanwhile we should lose no opportunity of enlightening and elevating the people, and in illustrating to them that industry is the true source of wealth; and I am happy to say that the chiefs Umhala, Macomo, Botman, and Namba have this season hired Kafirs to plough for them, rewarding them liberally for their work; and the desire for training oxen for the yoke and obtaining ploughs is spreading among the Kafirs. This is a satisfactory desire, and, if carried out, will prove highly beneficial.

The past year has for its tranquillity been unprecedented in the annals of the colony; the present aspect of affairs is most satisfactory; and the universal desire among the Gaikas is for peace. Unless, therefore, some extraordinary and unexpected combination of circumstances should take place, we may, by a strong hand and unwearied vigilance, with the diffusion of knowledge and civilization and a stringent prohibition of the sale of arms and ammunition, anticipate a continuance of the present order, which has hitherto been gaining stability and strength; but should a suitable opportunity offer, of which at present there appears no prospect, the Kafirs will doubtless make an effort to recover their lost country.

I have, &c.

Colonel Maclean,
Chief Commissioner.

(Signed) C. Brownlee,
Gaika Commissioner.

No. 12.

No. 12.

Copy of a DESPATCH from Lieutenant-General the Honourable Sir George Cathcart to the Duke of Newcastle.

(No. 18.)

Graham's Town, March 14, 1854.
(Received May 9, 1854.)

My Lord Duke,

Referring to the Despatch which I had the honour to address to your Grace, bearing date 14th July 1853, No. 27, and your Grace's answer, dated 17th September 1853, No. 125, on the subject of the religious education and moral improvement of the native population on the borders of this colony, by means of an organized system of schools under proper superintendence, I have now the honour to report the steps which have been taken and the progress made.

The first step was to appoint a committee, composed of the superintendent-general of education, the Rev. Mr. Shaw, and Mr. Calderwood, the civil commissioner of Victoria, to whom I referred the correspondence above alluded to, including certain Despatches from the Governor of New Zealand, which, though not practically applicable to the circumstances of this locality and native people, had been communicated to me by your Grace as of analogous import; and as my own views were fully set forth in my Despatch to your Grace, further instruction was unnecessary, and I had only to require their report.

CAPE OF GOOD HOPE.

No. 1.
Memorandum by Messrs. Innes, Shaw, and Calderwood, December 10, 1853.

No. 2.
Government notice, January 28, 1854.

No. 3.
Letter to chairman, February 4, 1854.

No. 4.
Minutes of board, February 14, 1854.

No. 5.
Letter from Rev. W. Shaw, February 28, 1854.

Some delay was occasioned by our having to wait for the arrival of Dr. Innes, the superintendent-general of education, from Cape Town; but I now enclose the report of that committee, dated 10th December 1853.

Having received and approved that report, the next step was to constitute a permanent Board, composed of the Civil Commissioner of Victoria, the Civil Commissioner of Fort Beaufort, the Civil Commissioner of Queen's Town, W. M. Edye, Esq., resident magistrate, Rev. W. Shaw, and Rev. W. Govan, according to the Government notice, which forms Enclosure No. 2, and furnished them with the necessary instructions.

I have now the honour to forward the report of the proceedings of the Board at its first meeting; and as the Rev. Mr. Shaw was unable to be present, owing to a family affliction, after a personal interview with him, I obtained a letter from him expressing his own acquiescence and certain additional remarks, which I forwarded to the secretary to the Board, with the minutes of their proceedings, and a letter expressing my approval.

This important measure is now fully secured, but no doubt much remains to be done to put it in full operation; and had it not been for the circumstance of my being shortly about to deliver over the affairs of the government to other hands, I should have been disposed to delay my own report until the measure had arrived at a more advanced stage. I hope, however, fully to complete it in all its essential points before my departure.

I will not trouble your Grace with a recapitulation of what will best appear from the documents enclosed, and the prior correspondence on this subject; but there are one or two points of importance to which I desire to call your Grace's notice.

The chief in importance I consider to be the political influence on the native society in the border districts, and within the colony, which is now almost entirely composed of the faithful Fingoe race, who not only show great aptitude and good disposition, but have made of late a remarkable advance towards civilization; and with this view, I have combined with the educational part of the question the no less important consideration of an organized system in respect to mission lands, and which, though held in possession and occupation under various promises and provisional grants, have not yet been properly defined as to extent or as to tenure.

It often happens that these mission lands are insulated possessions in the midst of extensive native locations. It was not a clear point whether these mission lands were the property of the missionary or of the mission community congregated within it; but, considering that the natives must in due time become entitled to the franchise under the new constitution, and that they are really in many instances advanced in civilized habits, possessing waggons, ploughs, and oxen, and cultivating to a considerable extent, it was thought desirable that the portion of ground required for the pious, laudable, and bonâ fide purposes of the mission institution, as the sites for church, school-house, burial-ground, residence, and glebe, should be defined, in the first instance, and titles granted as freehold to the mission society to which the incumbent belonged, and that the lands occupied by the mission congregations or communities should be granted to and held in trust by certain trustees, of which the representative of the mission societies and the civil commissioner of the district should of necessity be members.

But in the case of the mission communities in the three frontier districts now under consideration, it is intended that the members of the Board, which includes the missionary and the civil commissioner, should be the trustees; and that, as the native residents become gradually fit for it, the portions available for cultivation should be subdivided, and granted as erven on quit rent, to the more deserving members of the community—the missionary, as well as the community in general, retaining right of commonage over the pasture lands; and it is with this view that the civil commissioner of the district is added to the trust.

The heads of the two principal missions concerned in these arrangements in the frontier districts have declared themselves perfectly satisfied with it, and their demands for church and glebe reserve is very moderate, being only from 50 to 100 acres, according to the nature of the locality, desiring no more than is absolutely necessary.

CAPE OF GOOD HOPE.

I am disposed to think, that in all cases where no other system has been already established and confirmed by grant, it will be found the best and be adopted, and certainly in all frontier districts, and especially those which have been annexed within the last few years.

There is a remarkable instance of this in the mining district of Namaqualand, where the previously congregated band, composed of mixed native races, now forms the professing mission of Steinkopf, claiming territory in right of some so-called commandant or head man, set up as an aboriginal native chief, although, till the missionary planted his church, it is evident, from the nature of the vast desert and the wandering habits of its thinly-scattered aboriginal population, who still live chiefly on the produce of the chase, it would be preposterous to admit any local habitation or specific territorial bounds as an established and peculiar right of property.

No. 6.
Letter to Lieut.-Governor, March 9, 1854.

I enclose a copy of a letter recently addressed to the Lieutenant Governor on this subject, as it may throw further light upon it, but to which I have not yet had time to receive an answer.

I have, &c.

The Duke of Newcastle, &c. &c. (Signed) GEO. CATHCART.

No. 13.

No. 13.

EXTRACT of a DESPATCH from Lieut.-General the Hon. GEORGE CATHCART to the Duke of NEWCASTLE, dated Government House, Cape Town, May 17, 1854. (Received July 4, 1854.)

(No. 28.) (Answered July 14, 1854, page 68.)

"As I hope to arrive in England by the same packet which conveys this mail, it is not necessary I should trouble your Grace with any long despatches on any of the numerous separate subjects which it is my duty to forward, as I hope to be at hand to afford any explanation which may be required; and, as regards them, I shall as far as possible confine myself to mere letters of transmission.

"In this I purpose laying before your Grace a general view of the state of things in the colony generally at this time, when I am about to place the administration of government in other hands, in accordance with your Grace's sanction to do so, when I could leave all things safe here.

"I am happy to say, I now leave this colony in a state of perfect repose and security, and with every prospect of a permanent peace and increasing prosperity.

Nos. 1 to 7.
Addresses from inhabitants of Queen's Town, Kat River, King William's Town, Graham's Town, Port Elizabeth, and (2) Cape Town.

"To show that this is not only my own conviction, but is also the opinion of the community at large, I enclose some of the numerous addresses which have poured in upon me on the eve of my departure from all quarters. Those from the frontier districts of Queen's Town, the Kat River, King William's Town, and Graham's Town,—the last of which bears 500 signatures,—are particularly satisfactory, for they are respectably signed by persons most cognizant and most interested in the subjects to which they refer.

"As regards the coming into operation of the constitution ordinances,—the elections for members of the House of Assembly, as far as the returns have been received, which embraces the greater portion, have been conducted with perfect propriety in every instance, and the result gives promise of as fair a representation of the interests of all classes and races of Her Majesty's subjects in this colony by respectable members as could have been expected or desired.

"The dilatory progress of this business, which the observance of the requirements of the ordinance is said to have rendered unavoidable, threatened to run the last election process so near the termination of the period at which by the 60th section of the ordinance it was enjoined that Parliament should be summoned to meet, that I some time since gave out a government notice, to remind all concerned that Parliament must be summoned to meet before the end of next month; but as some of the returns have not yet been sent in, and as many members have to come up to the seat of government from very great distances, by the slow conveyance of bullock waggons over very bad roads, in some cases

implying a month's journey, I consulted the Executive Council this day on the subject, having the advantage of the advice of the Attorney General in his place in Council, as to what measures could and ought to be taken to give effect to Clause 60, in which the meeting of Parliament must take place on or before the last day of next month.

CAPE OF GOOD HOPE.

"I enclose an extract of the minutes of the proceedings of Council, in which I am advised to issue a provisional notice, summoning the Legislative Council and members of the House of Assembly to meet on Friday the 30th June next, at such place in Cape Town as may hereafter be named, and which will be named in the proclamation of summons as soon as the terms of the ordinance shall render it lawful to promulgate the same in due form.

No. 8. Minutes of Council.

"I have reason to know that my former provisional notice has had its effect, and that members from remote districts intended to commence their journey about this time, so that with this additional and more decided notice, which will appear in to-morrow's Gazette, there is no doubt that the six weeks which remain will suffice to ensure a full meeting at the opening of this first Parliament, which is very desirable.

No. 9. Government notice, No. 74.

* * * * * *

"I forward by this mail a detailed report of the Deputy Surveyor General, employed in the frontier districts in giving effect to the measures already known to and sanctioned by your Grace, for their occupation by a sufficient population of the right description of bonâ fide occupants, to hold their ground and develope by industry the resources of their fine country.

No. 13. Deputy-Surveyor General's memorandum.

"Success has already attended this measure beyond my most sanguine expectations, which I mainly attribute to the able and zealous manner in which they have been carried out by the Deputy Surveyor General, Mr. Robinson, and the other gentlemen who formed unpaid boards and commissions, appointed by me to carry out details, subject to my personal supervision."

No. 14.

No. 14.

Copy of a DESPATCH from Lieutenant-Governor Darling to the Duke of Newcastle.

(No. 58.)

Government House, Cape Town,
June 24, 1854.
(Received August 4, 1854.)

My Lord Duke,

I do myself the honour to transmit, for your Grace's information, the enclosed highly satisfactory report of the muster of the armed grantees of farms in the new division of Queen's Town, on the last anniversary of Her Majesty's birth, held in pursuance of a public notice issued by Governor Sir George Cathcart, and in fulfilment of the most important of the conditions upon which their farms were granted to them on perpetual quit-rent.

May 31, 1854.

I have, &c.
(Signed) C. H. DARLING,
Lieut.-Governor.

The Duke of Newcastle,
&c &c. &c.

Enclosure in No. 14.

Encl. in No. 14

Civil Commissioner's Office, Queen's Town,
May 31, 1854.

Sir,

I have the honour to report that, in accordance with the Government notice contained in the supplement to the "Government Gazette" of the 11th instant, the grantees of this division assembled at Queen's Town on the 24th May, mounted, armed, and accoutred.

In this instance the notice was very short, there having been eight days between its receipt and the date for muster. Yet, under these circumstances, the utmost readiness was evinced to comply with the notice; and, on the 24th instant, I mustered at the time appointed 220 grantees, and 276 shots, making in all 496 able men, well armed, mounted, and accoutred. Of this number, upwards of 100 were armed with rifles of the best description.

CAPE OF GOOD HOPE.

Considering that many of the grantees are at present placed in most inconvenient circumstances, owing to their having but recently occupied their grants, and as yet have neither shelter for themselves or their stock, and the very short notice they had received to muster, was more than could have been expected.

The loyalty, good order, and cheerfulness preserved throughout the day exceeded my most sanguine expectations, as also the good feeling and harmony which prevailed amongst the people themselves.

Had my notice given a little more time, I have not the least doubt but that the number would have been much greater.

I have, &c.
(Sgined) W. G. B. SHEPSTONE,
Civil Commissioner.

James Rose Junes, Esq.
&c. &c.

No. 15.

No. 15.

EXTRACT of a DESPATCH from Lieutenant-Governor DARLING to the Right Honourable Sir GEORGE GREY, Bart.

(No. 137.)

Government House, Cape Town,
November 4, 1854.
Received January 10, 1855.

"The Fingoes threaten to become far from satisfactory; in some locations they have exhibited a disposition not only to resume intercourse with the Kafirs, but to meet the overtures of the latter for their return to Kafir Land; the inducement held out being that they shall mix on equal terms, and be for ever relieved from the condition of inferiority and degradation to which they were formerly subject.

"It appears to have been known for some time past, for Sir George Clerk informs me he became aware of the fact when he first visited the frontier about the middle of last year, that intermarriages were taking place between the two nations. There is no doubt, it would seem, that this species of connexion is not only increasing amongst the people, but is now determined upon between the chiefs. The enclosed communications from Colonel Maclean, the Chief Commissioner of British Kaffraria, to Sir George Clerk, and from Mr. Shepstone, Civil Commissioner of Queen's Town, to the Colonial Secretary, will put you in possession of the details of this movement so far as they are yet ascertained."

No. 16.

No. 16.

EXTRACT of a DESPATCH from Lieutenant-Governor DARLING to the Right Honorable Sir GEORGE GREY, Bart

(No. 139.)

Government House, Cape of Good Hope,
November 14, 1854.
Received January 11, 1855.

"WITH reference to my Despatch, No. 137, of the 4th instant, a duplicate of which I have the honour to transmit by this opportunity, it is very gratifying to me to be able to assure you that all grounds for apprehending any immediate outbreak upon the part of the Kafirs are completely removed. It seems indeed doubtful whether the overtures of the Kafirs to the Fingoes, which occasioned so much alarm, ever seriously proceeded to the extent or met with the degree of encouragement on the part of the Fingoes which was attributed to them by Colonel Maclean's informants.

"I do myself the honour to refer you to the letters and extracts of letters herewith transmitted, as detailed in the margin, which cannot but be considered satisfactory on this point, and to add, that the statements and conclusions of the writers are fully corroborated by the latest accounts which have reached me."

No. 17.

Copy of a DESPATCH from Governor Sir George Grey to the Right Hon. Sir George Grey, Bart.

(No. 1.) Government House, Cape Town, December 9, 1854.

Sir, (Received January 30, 1855.)

I have the honour to report, that upon my arrivrl here, I found Sir George Clerk, K.C.B., waiting to meet me. This officer had assumed the duties of Acting High Commissioner upon the departure of Sir George Cathcart, in compliance with his wishes and request.

Sir George Clerk has handed over to me the papers connected with the duties he performed subsequently to the departure of Sir George Cathcart; and in reporting this circumstance, I beg to be permitted to record the obligations I am under to Sir George Clerk for the valuable information he has afforded me since my arrival here, as also, for the ability and success with which he discharged the duties of the office of High Commissioner during the period which has elapsed since General Cathcart quitted the colony.

I have, &c.

The Right Hon. Sir G. Grey, &c. &c. &c. (Signed) G. GREY, Governor and High Commissioner.

No. 18.

No. 18.

Copy of a DESPATCH from Governor Sir George Grey to the Right Hon. Sir George Grey, Bart.

(No. 3.) Government House, Cape Town, December 12, 1854.

Sir, (Received January 30, 1855.)

Since I had the honour of addressing you yesterday I have received a letter (copy of which is enclosed for your information) from Lieutenant Colonel Maclean, relative to the present state of the Kafirs and Fingoes.

From this letter it will be found, that Lieutenant Colonel Maclean is of opinion that the hostile plans the Kafirs have in view are, for the present at least, checked, although whether they will be continued or laid aside remains yet to be determined upon by the chiefs, after further deliberation, although the plan of opposition to the Government will be steadily kept in view.

With regard to the Fingoes, the substance of his opinion is, that the late state of excitement has passed away, but that prudence requires us to make such preparations, and to have such a display of force, as will be sufficient to keep in check both Kafir and Fingoe.

I have further the honour to transmit for your information, the copy of a letter from Mr. Calderwood, the special commissioner appointed to report upon the present condition of the Fingoes; as also, copies of some rough notes which he has enclosed in that letter.

Some remarks on his rough notes clearly show that our future relations with the Fingoes are likely to be attended with difficulty. It appears that when the Fingoes were a broken and scattered tribe, they were humble and docile, but that now they are again collected into tribes, and become rich and powerful, their former difficulties are forgotten, and their demeanour has altered. It also appears that some of the chiefs of this tribe have now so many men that they may find it difficult to preserve peace.

I believe that difficulties such as these would be found, from all history, invariably to have arisen wherever a country, finding itself unequal to defend its own frontier, intrusted the defence of it to semi-barbarous allies, who assembled in large masses upon particular points, found themselves at last, from being continually joined by stragglers of their nation, in a position of such strength that they became formidable to those who had originally sought their assistance. Great prudence on our part may undoubtedly overcome even these serious difficulties; but that the frontier of this colony is at present very weak, and that we are well aware of it, is conclusively shown by the excitement and alarm which recently sprang up from such very trifling causes.

I have, &c.

(Signed) GEORGE GREY, Governor.

The Right Hon. Sir George Grey, &c. &c. &c.

CAPE OF GOOD HOPE.

No. 19.

No. 19.

EXTRACT of a DESPATCH from Governor Sir GEORGE GREY to the Right Hon. Sir GEORGE GREY, Bart.

(No. 5.)

Government House, Cape Town, December 19, 1854.
(Received March 7, 1855.)
(Answered March 12, 1855, No. 12, page 69.)

"SINCE I had the honour of addressing you upon the 12th instant, regarding the state of affairs on the frontier, I regret to inform you that I have received from the Lieutenant General commanding the forces, a report which contains very unsatisfactory intelligence.

The Lieutenant General states as follows:—"I regret to say that I am "not at all satisfied with the present state of affairs in Kaffraria, and on this "frontier, from what I learn from various reports, supposed to be *confidential*, "given to old inhabitants by native servants, Kafirs and Fingoes long in "service, it appears that an immediate outbreak is determined upon.

"Several of the frontier farmers are proposing to leave their homes, and "some have actually moved into Fort Beaufort and other military stations. "Having well considered the various reports, and other circumstances, I am "decidedly of opinion that it would be most desirable to have 300 men of the "73d regiment sent immediately from Cape Town by steam to the Buffalo "mouth, more particularly as it is stated for the first time that the chief Pato, "who to the present has proved himself our best ally, is now to take a "leading part against us."

The Lieutenant General further informs me that, from the limited force at his command, in proportion to the great extent of country to be defended, he could not at present bring more than five hundred men together, except by withdrawing them from important posts, and he requests me to apply to the Governor of the Mauritius to detach one regiment to this command, to be landed at Algoa Bay, it being his opinion that the force here ought to be reinforced by a regiment of cavalry, and three battalions of infantry, in addition to the force at present here, as it is only by showing a strong front that it is possible to check the existing tendency to war upon the part of the native tribes. Such a reinforcement appears to the General to be the more necessary from the fact of the police force on the frontier being very deficient, (the General states it at not more than two hundred men,) and from no militia or burgher force at present existing.

It is my intention to comply with the General's wishes by detaching three hundred additional men to the frontier, if I can procure a steamer for that purpose, and if the present unfavourable report should be confirmed by succeeding mails; but I feel great reluctance to take any step which may further alarm the suspicious minds of natives, and which might perhaps hurry on the very crisis we are anxious to avoid."

No. 20.

No. 20.

EXTRACT of a DESPATCH from Governor Sir GEORGE GREY to the Right Honourable Sir GEORGE GREY, Bart., dated Government House, Cape Town, December 22, 1854.

(No. 7.) (Received March 7, 1855.)

"I HAVE the honour to report for your information the measures I propose to adopt with a view of preserving tranquillity in this country, and of holding out some reasonable expectation that at the close of a few years Great Britain may be freed from that constant anxiety and expense which South Africa has for so long a period of time entailed upon it.

I should premise, however, that I can only attempt at present successfully to carry these measures into operation, in the event of my having the advantage of the continuance for a few months of a state of tranquillity amongst the border tribes, as, if a war breaks out, it will be difficult for me to preserve that degree of intercourse with the chiefs which will be necessary to make them co-operate in my measures.

Upon reference to the Commissariat department, I am informed that the cost of the last Kafir war was at the rate of about 1,000,000*l.* per annum; besides

this heavy annual charge, that war was the cause of constant demands being made on England for troops. For reasons which I have detailed in other Despatches, the next war in South Africa, if one does unhappily take place, will be both more expensive than the last war, and will call for an increased force. When the late Kafir war prevailed, England was not engaged in a great struggle with a European power, which demanded her undivided attention, and the application of larger resources. Under existing circumstances I feel that if Great Britain is harassed with an expensive and most troublesome war in this remote portion of her possessions, the anxieties and troubles of Her Majesty's Government will be very largely increased. It is consequently my duty to make every effort to prevent so untoward a circumstance taking place as Great Britain becoming involved at the present moment with the allied Fingoe and Kafir races.

I now turn to the present position of the colony in reference to our relations with the Fingoe and united Kafir tribes, inhabiting the borders of the colony, British Kaffraria, Kaffraria Broper, and Natal.

* * * * *

With regard to the dispositions of the tribes upon whom it depends, whether or not the present tranquillity is to be preserved, I have already shown in my Despatch No. 3, of 12th December, from good authority, how much the bearing of the Fingoe tribes has altered since they have been collected in large bodies, and have felt their own strength. It is I think an invariable rule in the case of barbarous tribes, that if a tribe has been in a state of slavery, and is then redeemed from it, that there is extreme difficulty in managing them, for their chiefs having lost their authority there is no power which they recognize and obey, and the young men who have been brought up in submission finding the reins of discipline relaxed, are almost certain to become more than ordinarily presumptuous and overbearing, and having no superior authority to repress them, are very difficult indeed to control. I think, therefore, that the troubles which are arising with respect to the Fingoes are such as we might, to some extent, naturally anticipate. It is clear that Sir George Cathcart foresaw that precautions would be necessary to prevent such a state of things, and he devised a system for gradually ameliorating the condition of the Fingoes and of attaching them to us by giving them a permanent tenure of the lands, a system which has unfortunately not been carried ont.

That great alarm now generally prevails regarding them cannot be denied, and this suspicion upon our part will undoubtedly raise theirs. In a recent Despatch I stated that it was reported that the troops at one of the military stations had got under arms on account of rumours regarding the Fingoes. From the enclosed copy of a letter which I have this day received it will be seen that the inhabitants of a distant town in another part of the colony, Cradock, without any knowledge of what had taken place elsewhere, in like manner suddenly turned out to protect themselves from an anticipated attack from the Fingoes in their neighbourhood. Whatever the grounds may be for such suspicions regarding the Fingoes, it is clear when a very slight act of indiscretion on the part of any one of so many European authorities, may hurry on a contest with them, that it is impossible to feel sure of the continuance of tranquillity even from day to day.

No. 2.
Letter from resident magistrate of Cradock, December 16, 1854.

With regard to the present disposition of the Kafir tribes, it should be remembered that the Gaika chiefs instead of being required to retire across the Kei, as was originally contemplated, have been located upon its southern bank, in the vicinity of their own country of the Amatolas, to which they must be for ever longing to return, although it is not considered prudent to permit them to do so; this must be to them a cause of constant uneasiness and annoyance. I also learn from the most authentic sources that experience shows that the country within which they are confined is not believed to be adequate to their wants; this must also be a source of constant discontent to themselves, and probably of apprehension to their neighbours, who must feel assured that in some direction or the other additional country must be found for the Gaikas, and will feel anxiety as to when and to what extent their own interests may suffer from this cause. There is little doubt that Kaffraria Proper must be looked to as an outlet for the Gaika tribes.

* * * * *

Our general position is now, and may be said for some time past to have been simply an armed truce, every day expecting a blow to be struck against us,

CAPE OF GOOD HOPE.

although the precise moment when this will be done cannot be ascertained. In the meantime we remain on our guard, harassed by suspicions which are almost certain to produce the very evils at which they point, and no general plan is in operation to produce a better state of things for the future, or to clear off the difficulties which threaten us. Indeed, from day to day intercourse with the native tribes appear to diminish and distrust of them to increase. Such a state of things can but result ultimately in great disaster.

A financial Despatch which I am preparing for transmission to you will show that the present position of the finances of the colony is such, that although it will enable the Colonial Parliament to provide so largely for the increased defence of the frontier as to render us, I hope, sufficiently strong, with the present military force, to overawe and control the Kafir and other wavering tribes, without making any further demands upon Great Britain for troops, still that there is not more than 3,000*l.* available from colonial sources for any expenditure beyond the limits of the colony in aid of any general plan of policy which may have for its object the final and conclusive settlement of the difficulties which have for so long a time prevailed in South Africa, and the relief of Great Britain from the enormous military expenditure which these difficulties have entailed upon her.

The plan I propose to pursue with a view to the general adjustment of these questions is, to attempt to gain an influence over all the tribes included between the present north-eastern boundary of this colony and Natal, by employing them upon public works, which will tend to open up their country; by establishing institutions for the education of their children, and the relief of their sick, by introducing amongst them institutions of a civil character suited to their present condition; and by these and other like means to attempt gradually to win them to civilization and Christianity, and thus to change by degrees our at present unconquered and apparently irreclaimable foes into friends who may have common interests with ourselves.

To accomplish this will require a considerable immediate expenditure of money and some lengthened period of time, but I feel little doubt that within eight or ten years from the present date the work might be so far accomplished, that no farther assistance would be required from any extraneous source, and that Great Britain might look to be relieved shortly, to a great extent, from all further care and expense connected with this colony.

In the meantime it is to the British Parliament alone that assistance can be looked for to carry out such a plan. Its cost I estimate will be for the present 45,000*l.* per annum, of which 40,000*l.* would require to be furnished by Great Britain. But in about three years deductions might be made in that amount, and after that time the charge would be less every year. In a financial point of view this plan would clearly be the means of effecting a large saving to Great Britain. The sum I have named for the annual expenditure to attain such important objects is altogether inconsiderable, compared with the cost of a single month of war.

But in my present position I do not feel that I should be justified in even viewing the subject under so narrow an aspect as that of a mere financial question. I feel that it is my duty at all risks, to save my country at the present moment from a war which would make a large and serious drain upon her military resources of every kind, and I rely upon the most generous construction being put by Parliament on every act of mine which may have a tendency to produce such a result. If, therefore, I should, upon my arrival on the frontier, find that in order to avert an immediately threatening war, it is necessary for me at once to enter upon the plan I have sketched out, I shall do so, trusting to Her Majesty's Government to explain fully to Parliament the cause of my having adopted such a proceeding, and to recommend them to make good the expenditure which I shall have incurred.

It only remains for me to add, that should Parliament determine finally to sanction and provide for the plan I have proposed, I feel quite satisfied, from inquiries which I have made, that the Colonial Parliament will perform zealously and willingly their part of such a plan by liberally and largely providing for the defence of their own frontier, which is certainly now in a very insufficiently protected state; and this providing on their part will be the means of, to a great extent, meeting the anxieties and expense which would spring from the continued existence of the present state of affairs."

No. 21.

No. 21.

Extract of a DESPATCH from Governor Sir George Grey to the Right Hon. Sir George Grey, Bart.

(No. 10.)

Government House, Cape Town, December 30, 1854.
(Received March 7, 1855.)

"I have the honour to report, that since the date of my last Despatches there appears to be less danger of an immediate outbreak upon the part of the Kafir tribes; in fact, I think there is a disposition, on their part at least, to delay until I have arrived upon the frontier.

The Lieutenant General has forwarded me a letter, dated from King William's Town, the 19th of December, in which it is stated that the Kafirs are not likely now to do anything until they see the Governor's line of policy, they having a report that the Home Government is displeased with the late war, and that they are to get the Amatolas back again.

Mr. Calderwood also writes from Alice on the 21st December,—"From "what I now hear, the Kafirs will make a strong effort with the Governor to "get their country back, and that if not they will fight." In another place he adds that they are likely to speak strongly to the Governor, "and stick to the "point of getting back their land (the Amatolas.) This plan would place the "Governor in a real difficuly. I am truly thankful for the policy as yet "manifested by the Fingoes, but the farmers are still afraid of them."

Another letter has been also addressed to the Government from the frontier by a gentleman who has been for upwards of thirty years in the country, and who, I am assured by those best calculated to form an opinion upon the subject, is a man of calm judgment and of very great experience; he states:—

"In a former letter which I took the liberty of sending you I stated it as my "private opinion that the native tribes had formed a confederacy for mutual "aid in the event of another war; now I hear, what more than ever confirms "me in that opinion, viz., that Moshesh was sending into Kreli's country "a certain mixture of Kafir corn and meat, prepared by the native doctors, "and to be eaten by the people."

This writer then proceeds to show that his experience regarding the proceedings of the native tribes when they contemplate war, and especially what he observed in 1834, satisfy him that he is right in the conclusions regarding their intentions which he has drawn from information which he has recently received.

In the meantime I will, in conjunction with the Lieutenant General, make preparations against any outbreak which may take place; and as I proceed overland to the frontier, and shall not hurry my movements unless something untoward takes place, we shall yet have some time to prepare before I have any interview with the Kafir chiefs. I still hope that, if the existing state of peace can be prolonged for a few months, I may be able to adopt measures of the nature I have already detailed, which may altogether prevent a war, or at least much diminish the number of those who engage in it."

No. 22.

No. 22.

Copy of a DESPATCH from Governor Sir George Grey to the Right Hon. Sir George Grey, Bart.

(No. 17.)

Graham's Town, South Africa, January 27, 1855.
(Received April 30, 1855.)

Sir,

(Answered No. 11, May 15, 1855, page 69.)

I have the honour to transmit for your information copies of the two letters noted in the margin, from Colonel Maclean, Chief Commissioner in British Kaffraria, reporting the death of the chief Umkai.

No. 1.
January 2, 1845.
January 6, 1855.

CAPE OF GOOD HOPE.

2. The statement attached to the second of these letters is important, as another proof of the contemplated alliance between the Kafirs and Fingoes.

I have, &c.

The Right Hon. Sir George Grey, &c. &c. &c. (Signed) GEORGE GREY.

Encl. 1 in No. 22.

(No. 93.) Enclosure 1 in No. 22.

SIR, Fort Murray, January 2, 1855.

I HAVE the honour to acquaint you, for the information of his Excellency the High Commissioner, that "Umkai," a chief of the T'slambie nation (brother to "Umhala") died at his kraal on the 1st instant, from consumption, a disease which afflicted him for some years past.

"Umkai" called upon me on the 30th ultimo, for the purpose of acquainting me that he felt the hand of death upon him, and that he came to see me for the last time.

The chief's son "Jali," by the great wife, being the heir apparent, will succeed to the general government of this branch of the T'slambi tribe. "Umkai's" eldest son "Tabai," by the wife of the right-hand house, will, however, lay the foundation of a new house, and will have separate jurisdiction of an allotted portion of the tribe, acknowledging precedency on the part of his brother "Jali," by the great wife, but independent of him, except in matters involving the general relations of the tribe at large.

"Umkai" enjoyed a subsidy of 40*l.* per annum, in consideration of good and faithful service.

I have, &c.

W. F. Liddle, Esq., Private Secretary, &c. &c. (Signed) JOHN MACLEAN, Chief Commissioner.

Encl. 2 in No. 22.

(No. 194.) Enclosure 2 in No. 22.

SIR, Fort Murray, January 6, 1855.

I HAD the honour of acquainting his Excellency in my last report of the death of the chief "Umkai," and I have much pleasure in acquainting you, for the information of his Excellency, that I had a very satisfactory interview with "Jali" and "Tabai," the former "Umkai's" great son, who succeeded his father, as already reported in Letter 193, and the latter the son of the right hand house.

"Umkai's" sons were accompanied by "Umgwagwa," the late chief's principal counsellor, deputed by the dying chieftain, to hand his sons over to my care, and to convey the injunctions contained in the annexed statement made before me by "Umgwagwa." I had a long and interesting conversation with the young chief "Jali," and he reiterated the commands of his father; and both "Jali" and "Tabai" assured me that they would obey his dying commands.

"Jali" is only nineteen years of age, of a very mild disposition, and I have every reason to hope that he will act up to the advice given by his father.

The young chief has requested me to furnish him with a dress of honour, which I submit for the favourable consideration of his Excellency. I beg, however, to state, that the military dress which the chiefs received from Sir Harry Smith, and which they still have (a forage cap with gold lace, red jacket, very tight, and trowsers with red stripe is not an appropriate dress. His Excellency may, therefore, possibly be pleased to make some change in the dress of honour more suitable to the position and character of the chiefs.

I have, &c.

W. F. Liddle, Esq., Private Secretary, &c. &c. (Signed) JOHN MACLEAN, Chief Commissioner.

STATEMENT made by "Umgwagwa," late a counsellor of the late chief "Umkai," before the Chief Commissioner of Kaffraria, F. Murray, January 6, 1855.

"I was with "Umkai" at his "kraal" near the "Chulumna" river, the day of his death, on Monday last (the 1st inst.), and he requested me to acquaint Maclean with his dying words, which are as follows:—

"Being unwell I was unable to communicate personally to Maclean, when at Fort "Murray on Sunday last, the wishes of my heart; I therefore request you will acquaint "Maclean that, as I feel death approaching me, my urgent request is that he will be as a "father to my sons Jali and Tabai, by giving them his advice, and, if necessary, his "assistance, whenever they may require and deserve it. I leave these two sons in charge "of my tribe; the former is of the great house, and consequently the great chief; "the latter of the right-hand house, who will have jurisdiction over a portion of the "tribe under Jali.

"I have charged them both in everything to obey the orders of the Government, and to "continue faithful to it, as I have hitherto done, having acted up to the dying words of "T'slambi, my father, who strictly directed me never to lift up my hand against the "Government, which are also my last words to my sons. My wish, therefore, is that my "children and tribe may be immediately under the Government, and, if possible, apart "from the Kaffir chiefs, who will too readily avail themselves of the opportunity to "mislead them when I am no more."

Had Umkai lived, he requested me to acquaint Maclean his intention to have communicated the following information :—

That the intended alliance of Sandilli and Umhala with the Fingoes, which was first spoken of at a beer meeting in Umhalah's location a few months ago, at which both the above-named chiefs were present, was put a stop to, having been immediately discovered by the Government; otherwise their intention was to have gained the Fingoes over by intermarrying with them, which had they succeeded in effecting there is not the least doubt but that the whole of the Kaffir and Fingoe nations would have been involved in a general war against the Government.

UMGWAGWA, × his mark.
Before me,
(Signed) JOHN MACLEAN,
Chief Commissioner.

Witness,
(Signed) GEORGE M. SHEPTONE,
Interpreter to Chief Commissioner.

No. 23.

No. 23.

COPY of a DESPATCH from Governor SIR GEORGE GREY to the Right Hon. Sir GEORGE GREY, Bart.

(No. 19.) Graham's Town, South Africa, January 29, 1855.
(Received April 30, 1855.)
(Answered No. 20, May 26, 1855, page 70.)

SIR,

I HAVE the honour to enclose, for your information, the final report of Mr. Calderwood, the Commissioner appointed to inquire into the present state of the Fingoe locations, and I beg to be permitted to call attention to the energy, ability, and judgment with which Mr. Calderwood has executed the delicate and difficult duty which was entrusted to him.

2. The principal point in this report, to which I ought to direct your attention, is the testimony which Mr. Calderwood bears on the subject of our present dangerous position in regard to the Fingoe race. He makes such statements as the following: "Greater and more adequate efforts ought to be made for the "improvement of these people, both by Government and by missionary "societies. Far more should be done than has yet been attempted, to push "forward the Fingoes in intellectual and moral and religious culture, and in "agricultural and mechanical skill. More money should be spent for the "advancement of these people. The case is urgent. They are peculiarly "situated. They are within our border and on our boundary. Viewing the "matter merely as a political question, these people cannot be left without "improvement without danger to the colony."

3. It is right I should add that similar representations have reached me from many other quarters.

4. The general impression is, that the Fingoes feel, and much over-rate, their strength, and undervalue our power. That their young men are becoming haughty and insolent; that they are now a source of danger rather than of strength to us; and that if immediate steps are not taken to remedy this state of things, disasters must be speedily anticipated.

5. I have already, in my Despatch No. 7, of December 22, 1854, detailed the general line of policy which I intend to pursue, to avert the evils which threaten us from the state in which the Fingoes are now left; and I should add, previously to receiving Mr. Calderwood's report, I had devised and was preparing to carry out plans for reducing the population in the over-crowded localitions, which will, I think, be found in practice preferable to those which he recommends. These plans shall be detailed for your information in a future Despatch.

I have, &c.
G. GREY.

The Right Hon. Sir George Grey,
&c. &c. &c.

CAPE OF GOOD HOPE.

Encl. in No. 22.

Enclosure in No. 22.

REPORT of SPECIAL COMMISSIONER, appointed to inquire into the present State of the Fingoe Locations on the Eastern Frontier, especially in the Divisions of Victoria, Fort Beaufort, and Queen's Town, and the Location at the Zitzikama.

Preliminary Remarks.

In compliance with instructions contained in a letter from the Honourable the Colonial Secretary, dated November 1854, I have visited all the Fingoe locations in Victoria, Fort Beaufort, and Queen's Town, with the exception of the locations at and near Kamastone, in the division of Queen's Town, and that of Zitzikama, referred to in a subsequent letter from the Colonial Office, under date November 29, 1854.

Three locations (one Kafir and two Fingoe) referred to in connexion with the division of Victoria, are on the east bank of the Tyumie, but are included in my inspection and report, as they are under the charge of the Civil Commissioner of that division.

I shall arrange my remarks under the following heads, viz.:—

I. Population and property.
II. Extent of land occupied (including land under cultivation).
III. Money pay as hut tax,
IV. Opinion as to the fidelity of the Fingoes towards the colony.
V. Complaints of Fingoes.
VI. Opinion as to the future with reference to the Fingoes.
VII. Suggestions.

I.—*Population and Property.*

My statistical items, with few exceptions, are those of 1854, as I did not consider it expedient to make very minute inquiry into them.

According to the annexed tabular statistical return, marked No. 1, there are in and connected with the division of Victoria, sixteen distinct locations, besides four mission stations, having several out-stations included in general return.

In division of Fort Beaufort there are eight distinct locations, including one mission station, with several out-stations, independent of the town of Fort Beaufort.

In division of Queen's Town there are eight locations, including Kamastone mission station, exclusive of Lessyton, Shiloh, and Goshen mission stations.

The division of Victoria contains a Fingoe population of 12,433 souls; of these there 2,648 able-bodied men.*

From Queen's Town there is not a very definite return; but, according to Mr. Shepstone's statement, on an average computation, there must be 3,850 souls, giving about 750 able-bodied men.

Tambookies.

Independent thereof and distinct from the mission stations of Lessyton, occupied by Tambookies, Shiloh and Goshen, occupied by Hottentots, Fingoes, and Tambookies, comprising an extent of country of 116 square miles, the statistical returns of which I do not possess, and also the Tambookie tribes on the north-east and south of Queen's Town, there is in the divisions named a Fingoe population of 20,024 souls, comprising 4,157 men capable of bearing arms.

Supposing that the Fingoes in the Queen's Town division have an equal proportion of guns,—and my opinion is that they have a larger proportion than those of Victoria and Fort Beaufort,—there are in these divisions Fingoe men possessing 1,974 guns.

The principal items of property possessed by Fingoes in the three divisions are:—

40,714 Horned cattle.
2,001 Horses.
†2,401 Sheep.
†7,709 Goats.
†93 Waggons,
†66 Ploughs.

With the exception of a few wattle and daub houses at the several mission stations, there is no fixed property.

For more minute particulars of statistical information I beg to refer to the annexed tabular return already named.

II.—*Extent of Land occupied, including that under Cultivation.*

Exclusive of the 116 square miles belonging to Shiloh, Goshen, and Lessyton, the land occupied by the locations reported are as follows:—

Victoria, about	- -	537 square miles.
Queen's Town, about	- -	200 "
Fort Beaufort. about	- -	28 "

Besides the commonage of Beaufort, on which four tribes are located, consisting of 244 men, 1,135 souls, giving a total, exclusive of Fort Beaufort commonage, of 765 square

* In division of Fort Beaufort, 3,741 souls.
† No return of these from Queen's Town.

miles. My impression is that, when measured, it will not be under 800 square miles. Add the 116 referred to already, and we have in round numbers 900 square miles occupied chiefly by Fingoes, including a very few Kafirs, Tambookies, and Hottentots, but exclusive of the Tambookie tribes.

Land under cultivation.

Taking an average of 2½ acres to each man,* and I consider this a fair average, we have 7,909 acres under cultivation.

III.—*Money paid as Hut Tax.*

The receipts from these locations are as follows:—

		£	s.	£	s.
Division of Victoria - -	Fort Peddie -	882	0		
	Alice - -	385	10		
				1,267	10
Division of Fort Beaufort - - -				610	0
Division of Queen's Town - - -				136	0†
				£2,013	10

Explanations as to receipts

With reference to the above receipts, the following explanations seem to be required:—

In Victoria and on East Bank of Tyumie there are 2,648 men, of whom 678 have not paid.

I have used every possible means, but that of force, to prevent the ingress of numbers into the various locations, but in vain; I at length adopted the expedient of refusing all further payments of hut tax.

I consider that when the land is measured, room will not be found for those that have not paid; but if they are removed somewhere else, there is, I think, sufficient room for the remainder.

With reference to the receipts in Fort Beaufort division, 759 men are on the books of the superintendent, of whom 610 have paid.

There are, in my opinion, here two mistakes which require correction.

These men have for 1854 paid 1*l.* per man, instead of 10*s.* per hut. With the exception of those who have several huts, there is an overpayment, and it requires to be corrected in the following year, else these people will not be fairly dealt with.

The other mistake is this: about one-half of those who have paid should not have been permitted to pay, for there is not room for them, and this receipt of the money constitutes in their minds a claim.

IV.—*Opinion as to the Fidelity of the Fingoes to the Colony.*

It has been alleged that Jokweni sent one of his men, named Fumba, to Sandilli to intimate the general discontent of the Fingoes, their intention to assist the Caffres, and offering his (Jokweni's) daughter in marriage to Sandilli; and wishing a similar alliance on his own behalf with the Caffres.

That there were numerous beer-drinkings among the Fingoes; that they had not cultivated their fields; and that it had been intimated to various individuals, by both Caffres and Fingoes, that the Fingoes did intend to join the Caffres in war against the colony.

I would offer the following observations on these statements:—

1. Jokweni denies that he sent, and Sandilli denies that he received, any message from Jokweni on the points specified; and I have failed, in a most anxious and laborious search, to find any substantial evidence against the truth of Sandilli's and Jokweni's statements.

2. Jokweni produced Fumba to me, and urged that he should be examined and punished. Fumba positively denies having been sent, or having gone Sandilli with any message; but frankly admits having gone into Caffreland of his own accord. Fumba lived with Sutu when Sandilli was born; he has been long known as a mischief maker, and his appearance truly confirms the general opinion. Gaika used to remark of him, that Fumba was one who could not avoid doing mischief.

Fumba is a determined follower of uncivilized habits, and does not like any interference with those habits; and I do not doubt would freely tell this to the Caffres. He had also been some years ago "eaten up" in Caffreland, and would not scruple to say anything to the Caffres to get back some of his property, or something for it.

3. Besides, Fumba had a dispute with Jokweni, and at the time of his going into Caffreland was not in Jokweni's location. There was an addition made to this chief's location,

* In addition to the men in the return as having land under cultivation, there are upwards of 500 widows who cultivate on their own account; this gives an addition of 1,250 acres; added to 7,099, gives a total of 9,159 acres under cultivation.

† £271 still due from division of Queen's Town, where all should pay, as there is ample room for all. This return only reached me after the report was written.

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and Fumba was ordered by Jokweni into a part of this addition, but positively refused to go, and soon after went into Caffreland. Fumba was one who had gone beyond the limits of the location, and desired to maintain a right to the land on which he had squatted. In these circumstances it is possible and not unlikely that he may have said much that may have been represented, either by himself or others, as messages from Jokweni or the Fingoes generally.

4. It is true Fumba went without a pass, and thereby suspicion is created; but if Jokweni wanted to send him on a secret errand, he could easily have concealed his secret under a "pass" for another purpose.

5. Jokweni has only one unmarried daughter; she has long been betrothed to Yarreso, son of Umhlouli, another Fingoe chief. A considerable time ago twelve head of cattle had been delivered by Umhlouli, and accepted by Jokweni as a part of the price, and an ox had been slaughtered by Jokweni, as is the custom to close such a bargain.

Lest there should be any deception practised on the part of Jokweni, and thinking it would likely be spoken of after I had left the neighbourhood, on my arrival in Alice I caused Umhlouli and his son, the intended bridegroom, to be strictly examined; and they entertained no doubt that Jokweni would keep his engagement, and they did not consider that Jokweni had said or done anything to warrant an opposite opinion.

Umhlouli has since demanded, in the usual way, the betrothed on behalf of his son, and the marriage, I understand, is about to be celebrated. But after all, even if Sandilli had married Jokweni's daughter, it would not have been a new thing; Gaika, Sandilli's father, had a Fingoe wife.

6. With regard to the reports that the Fingoes are not cultivating, a moment's glance at the various locations shows that this is wholly a mistake. As soon as the sowing season commenced there was no lack of activity on this point, in fact, they have cultivated much more ground than the location can bear with any regard to the cattle.

7. As to beer drinking, I lament that there has been so much of it, but this is, unfortunately, nothing new among the Fingoes when corn is abundant; moreover, if intemperance is to be a proof of rebellion or intended rebellion, I fear the ranks of the loyal among others than Fingoes will be seriously thinned.

8. With reference to representations of alleged information having been given by individual Caffres and Fingoes, I have carefully endeavoured to trace any such rumour that has been brought to my notice, but have found that in every case they originated in a mistake, or, what I am unwilling to believe, gross and intentional misrepresentaion.

9. I have now, besides my ordinary means of information, spent nearly two months entirely amongst the Fingoes, visited all the locations, excepting Kamastone, met and conversed, both publicly and privately, in many cases confidentially, with very many hundreds of the people, and not a single circumstance has come under my notice to create even suspicion. I had two intelligent coloured men with me, who mingled freely with chiefs and people in private conversation, and they fully concur with me that the great mass of the Fingoe people are, at present, entirely with us.

10. Nothing could exceed the excellent and friendly feeling manifested wherever I went, with one exception, to which I shall afterwards allude. It may be said this was merely deception; but considering the time I have been amongst them, the numbers met and conversed with, the free intercourse I held with them, the many cases in which I had to state unwelcome truths to them, I can scarcely think it possible that I should not have discovered some little indication of disloyalty, had it existed to any great extent.

11. The number of Fingoes in the service of the colonists, and still going into such service at the time that the rumours were most alarming, gives a favourable indication of their feeling. The crops of Lower Albany, for example, must have to a considerable extent perished without the labour of the Fingoes. At Fort Peddie there have been for this purpose during November, December, to the 13th January, passes granted to 692 men and 162 women, in all 854 persons. During the same period there has been granted at Alice 77 passes for the same purpose; and, on an average, during that period there has in addition been upwards of 100 Fingoes employed without passes in daily labour amongst the townspeople and the farmers in the Tyumie Hoek. The return in the tabular statement on this head was of course made some weeks ago, and therefore there will be some little difference.

12. The sentiments of the leading men expressed to me during my late visit in circumstances and in a manner which induce me to believe them sincere, is another argument in favour of the fidelity of the Fingoes while the old and middle-aged of the present generation maintain their influence.

One of Jokweni's leading men said, "We left that country," (pointing eastward). "It is true it is a country of corn. We left much, very much food there, but we were between fire and water in that country. We could not sleep then. We can sleep here. We do not desire to go back."

The chief Umhlouli, an old and judicious man, said, "We have here in this country "cattle, bucks, and corn, and we have a great thing; we can call these things our own. "We owe this to the English. We had, in the land we left, to bend our knees and fold "our arms, and sit on the ground," (an attitude of great fear,) "but here we can stretch "ourselves and rest, and feel safe; we have much to thank for."

An old man of the same tribe said, "We have a new thing in this land, which the "Fingoe could not have in the land from which we were brought. When that sun goes "away, we can lie down and sleep, and when the sun returns we rise up and actually "find we are not dead, we have not been killed."

The chief Sobekwa, whom I have long known, on my leaving his location referred, in private conversation with me, to the suspicions of some respecting the Fingoes. He addressed me directly, and with much point and feeling said, "When you came to this "country first, you were here on my place. You spoke to me the word of God. I have "been under your care ever since. You know me. I know you. Say now, do you "believe I can now return and take an ox-hide for my clothing?" I could not help saying I believed him, as I do.

The chief Mabamhla said, "When I was a boy, we Fingoes were on the road" (only "travellers). "We had no home. We were scattered and could not rest. I and others "have got beards under the Government. We can find rest. We dwell at peace and "are secure."

Nobanda said, "The Fingoes were once a people; they had long been no people. They "had been the dogs of the Caffres. They could only milk and plough for the Caffres, "but they had been made a people again by Government. They had now a home and "property. God had put it into the heart of the Government to be a blessing to them."

These are a specimen of much that was said to me, and I have good reason to believe that they express the feelings and sentiments that prevail among the old and middle-aged of the Fingoes.

13. I would add here that the conduct of the chiefs and people in the district of Alice, when it was lately feared that war was about to break out, is a strong proof of their desire to be with the colony. They manifested unanimously the utmost willingness to do whatever they might be desired. They complained, it is true, that they had been suspected, but I explained that in the circumstances of this frontier, the variety of races, and the events that had formerly taken place, it was not surprising that suspicions should sometimes be excited, but, I added, "Government does not suspect you. Do not com-"plain, so long as I do not suspect you; I trust you." I explained a plan I had in view, in the event of war actually coming upon us; it was this—I was anxious to protect their crops and those of the white men. I therefore intended, in the first instance, to call upon them to form camps, so as to cover the gardens of the various locations, which would also cover many of the fields of the farmers, and thus mutually assist each other. I said, "I will put you to this test; I do not now suspect you, and I will not suspect you "until I hear that you have permitted the enemy to pass through any of your locations, "then I will suspect you." They unanimously said, "Good, we accept of this test, and "you will see if we will give our land to the Kafirs." This was done with every appearance of sincerity.

14. It was reported to Government, and my especial attention was called by his Honour the Lieutenant Governor to the subject, that the lands of the Fingoes in the district of Fort Peddie had been taken from them in violation of treaty, and that there was therefore much discontent, and that this was the cause of them desiring to go into Kafirland and leave the colony. I therefore earnestly directed my attention to this subject.

I never before heard of any treaty made with the Fingoes at Peddie, either from the Colonial Office or any servant of Government, or from any one else. The resident magistrate at Fort Peddie had never heard of any such treaty, and no Fingoe ever referred to such a thing to me.

I not only conversed privately with a very large number of the Fort Peddie Fingoes upon the subject of the lands, but I held meetings with all the tribes separately, and on this particular subject I publicly put the question to chiefs and people, in the hearing of the two native men with me, if any land to which they had any claim had at any time been taken from them, and they all answered in the negative. The chief Matomela, to whom I shall afterwards refer, did say that the land between his location and the sea had been taken care of by him and grazed on during the late war, and therefore he expected to get it, but he fully admitted that it had never been his. I further and publicly put the question to all the chiefs and people if they had not more land now than ever they had before, and they all, without exception, answered that they had more; and all stated that they were satisfied.

It is certainly contrary to a Fingoe's nature and views to say he has got enough of land; but there is a strong desire among them to remain where they are, and the chiefs are afraid of having any of the people removed to a distance, even for more land.

The only lands which any Fingoes had yet occupied by authority that have been interfered with, is a portion of the rayon of the village and post of Fort Peddie, with a portion of one or two lots that were granted or sold.

The village of Fort Peddie was established by Sir H. Smith, so far as I know, without consulting any one.

It appears that some of the tribe of Sutu, now Zulu, occupied a portion of the country close to Fort Peddie, from this they were removed under circumstances of which the following explanation sufficiently shows why they did not complain.

CAPE OF GOOD HOPE.

The rayon of Fort Peddie comprehends about twelve square miles, within that is the mission station of D'Urban for Fingoes, and a small village of Fingoes of from seventeen to twenty families, with the view to a supply of labour, so that, in reality, not more than some seven square miles connected with Peddie, and either one or two farms of 1,000 acres each. I cannot for a certainty ascertain whether one or both of these farms were formerly depastured by Fingoe cattle. Add to this a grant of 1,000 acres lately made to Mr. Edye, and in all about eleven square miles have been interfered with.

But in place of this the Fingoes, I find, after much careful investigation, have got fully fifty or seventy square miles of country.

Mr. Edye's letter at page No. 40, explains the circumstances in which Umpahla, who then had charge of Sutu's, now Zulu's people, were removed from the immediate neighbourhood of Peddie. I remember the application made to me, and that I authorized a larger location to be sought.

I have now spoken to Umpahla on the subject; he did not say to me that he applied to be removed, but that he was told, and he saw it himself, that there was not room for the tribe where they were.

There could not have been provided for them where they were in 1848 more than some seven or eight square miles at the most, now they have sixty or seventy, and they are satisfied, as well they may be. I believe when it is measured it will be found near 100 square miles, but it contains a good deal of jungle.

I do not now think that it is well that farms be granted to public servants, and it was agreed by the Queen's Town Land Board, of which I was chairman, that no such grants be made; but Sir G. Cathcart, I believe, yielded to repeated and urgent applicants. That rule, therefore, was relaxed, and if it were so in one case, I do not know any reason why it should not be so in the case of Mr. Edye, although I am not aware that his application was ever before a board of which I was a member, yet it may have been, unknown to me; and I do not think that the grant has caused any dissatisfaction, unless it be to one or two white men. The Fingoes have made no reference whatever to it, and they had every opportunity of doing so."

COPY of Mr. Edye's Letter.

" SIR, Fort Peddie, November 30, 1854.

" ADVERTING to your communication of the 29th instant, having reference to a " letter from Colonel Maclean, in which that gentleman stated that he had seen an " Englishman's house on ground that used to belong to Fingoes, and you had reason to " believe that house was mine, I have the honour to state that a piece of land commonly " known as 'the Short Cut between Fort Peddie and Buck Kraal,' having been left " unappropriated, as will appear by Mr. Surveyor Gray's chart, since 1848, I applied to " his Excellency, the late Governor, Sir G. Cathcart, who granted it. I also know that " the Land Board reported favourably on my application.

" You may recollect Umpahla, a Fingoe, who was in charge of Zulu's followers, " representing that he wished to remove from the neighbourhood of Fort Peddie to a " position where his location would be larger, (the land granted me by his Excellency " formed a part of this chief's location).

" That in 1848, you requested the Rev. H. H. Dugmore and myself to look out a " sufficient extent of land for him, which we did; and he was placed with his tribe, at " their own request, on the Fish River, on an extent of land upwards of thirty square " miles (recently greatly increased), between which and the land they resigned in lieu " of it, and on which none of Zulu's people remained, two farms (sold by public auction) " intervene.

" I have, &c.
(Signed) " WM. M. EDYE.

" The Rev. Hy. Calderwood,
" Special Commissioner, &c., Fort Peddie."

V.—*Complaints of Fingoes.*

With reference to complaints brought under my notice, I may remark generally, that with the exception of Zazela, a chief in the Fort Beaufort division, and an intertribeal dispute in the tribe of Gwabeni, Victoria division, no complaint was urged with any bitterness; everything that was said was said in excellent temper.

Queen's Town.

1. Sobekwa, on the Ox Kraal, complained that a piece of grazing land which he had received permission to use had been taken from him.

This piece of land, making one farm, granted to an Englishman, lies immediately opposite Sobekwa's Kraal, where the river comes very near and forms the boundary. It contains almost the only bush seen in the neighbourhood. On this piece of land Sobekwa reminded me that I had some years ago authorized him to feed his cattle, and I have a distinct recollection of instructing Mr. Shepstone, then under me, to this effect, during one of my visits to that country. I was not aware that it had been taken from him. In justice to all concerned, I must say that I consider the Fingoes have sufficient room where they are; yet it is a pity, I think, and calculated to do harm, to have taken that piece of land from them, it lies most convenient for them, and contains a piece of thorn bush of very considerable consequence to them.

CAPE OF GOOD HOPE.

Victoria.

Smallness of locations for grazing.

2. Four of the locations in the neighbourhood of Alice were complained of as being too narrow for grazing purposes, though abundant for cultivation. The locations named are Lower Gaga, Middle Gaga, Ely, and Roxo. These locations comprehend the finest country in all respects in this fertile neighbourhood, but they are certainly too small for the present inhabitants.

I have long done my utmost to get the head-men to understand and remedy this evil, but they either would not or could not. My explanations during my visit seem to have effected this purpose generally. I explained that the reason of my having refused hut tax from any more men was to secure those who were originally settled sufficient room, as the chiefs were calling too many into their locations and thus eating up the grass; that I expected the lands would soon be measured, and more than those who had paid could not, with justice to the others, find land in these locations. This explanation seemed to give entire satisfaction to the people who had paid.

According to the books of the superintendent, there were some months ago in Victoria, 678 men (comprising upwards of 3,000 souls) who have not paid hut tax, and from whom I have refused to receive it; there are more now.

If these persons were removed, I consider there is sufficient room in the various locations of Victoria for present wants.

Impounding.

3. In the locations near Alice, several complaints have been made of cattle having been impounded for trespass upon grazing lands. The Fingoes seem to consider it a hardship that their cattle should be impounded for merely trespassing on grass, as their own grazing lands are all common. They complain that the amount of pound fees should be so heavy. I explained fully the pound law. They admitted that they should not allow the cattle to trespass, and promised to take more care, but remarked that as they had cultivated so much, their cattle trespassed beyond the boundary of their locations. In our circumstances on the frontier, I consider that the pound fees should be considerably reduced, while, at the same time, the farmers require to be protected from wanton injury. If, however, the number for whom no provision is made in this neighbourhood were removed, this inconvenience would be very considerably abated.

One internal dispute.

4. There was here also one internal dispute brought before me, but as it does not in any way affect the general question as a matter of public interest, I think it will be more convenient to report upon it separately.

Lovedale mission station.

5. The people of the Lovedale mission station referred to the application to Parliament, on the part of the Municipal Commissioners of Alice, to have the grazing lands of the station made part of the Alice commonage, and placed under the control of said commissioners, giving the station people a share of the general commonage. They state that they are afraid of this; that they are satisfied with the present arrangement, but beg to be free from the control of the municipal commissioners, desiring to continue under the direct control of Government. I have thought that this difficulty might be arranged, by Government granting these people title previous to any change taking place that might authorize any interference on the part of the municipal commissioners. I have stated this to them, on hearing their strongly-urged objections; but they reply that their grazing lands join those of the Fingoes, that they and the Fingoes can agree, that neither party impound from grazing lands; but if their land was made a part of Alice commonage, the white man will impound the Fingoe cattle which have been accustomed to feed in common with theirs, and the result will be bad feeling and trouble. This I feel to be a real difficulty; certainly there is already more than enough of impounding, and bad feeling on that account.

I do not myself consider that it is necessary to increase the Alice commonage, but if it be considered necessary, the change should be effected only in unison with the feelings of the people.

There are, it is true, few people actually on the station and immediately concerned, but this station is of great importance as a central station, connected with a very large body of people in the surrounding country; and if the station people should feel themselves aggrieved, a large body of coloured people will sympathise with them, and Government will be blamed for having done an injury.

My impression, however, is, that if I could assure them that their interests should be secured before the Commissioners have the land under their control, they would agree on my advice to the arrangement proposed. I would also suggest that the missionaries in charge be consulted in this matter. The station is of importance; a very large outlay of money has taken place by the mission, and it is connected with a large population. I do trust that nothing will be done hastily or arbitrarily in this matter, but that the people will be made to feel that they are fairly and kindly dealt by.

Fort Beaufort division.

6. In the location of Booy Gusha, a complaint was urged of want of garden ground; and on examination, I consider that the complaint is well founded; it is the only complaint of the kind made to me anywhere, and it was made in a very good spirit. This location is fine pasture, but not good for cultivation; there is not garden ground for half the number upon it. Only about that number, I find, have paid the hut tax; seventy-two are entered by the superintendent, thirty-four have paid. This location is on the commonage of Fort Beaufort Town.

CAPE OF GOOD HOPE.

7. It was stated in four locations, all of which are on the Fort Beaufort Commonage, to the number of 244 men, that they did not know their boundaries, excepting where they touched the division of Victoria.

The point of dissatisfaction was here very lightly touched upon, and I did not dwell upon it, lest I should do more harm than good, until I could privately ascertain if I was right in my conjecture as to what was really complained of. The two native men with me informed me that what they referred to is, they have not a distinct and separate location, but have only the use of the Fort Beaufort commonage. I did not revert to the subject to the Fingoes, but it will require to be looked to, and if possible put on a better footing. Provision was made by Sir George Cathcart for 50 men, with their families and stock, on the Beaufort commonage; but at present there are 244 men, 137 of whom have paid 1*l.* each for 1854. These people cannot have permanent security on the commonage referred to unless so arranged before it passes out of the hands of Government; and if such security were given to so many, nothing is left for the town of Fort Beaufort.

In all the Fort Beaufort locations, excepting "Healdon," grave and urgent complaints were made against certain regulations issued by the Civil Commissioner.

The obnoxious regulations are those which relate to and interfere with the marriage laws of the Fingoes, in the matter of buying and selling wives (as the regulation expresses it), and their customs of dancing and painting. The parties who have formed these regulations, and sanctioned them, have, I think, not sufficiently considered the magnitude and difficulties of the question on which they were touching, or been sufficiently careful to distinguish between things that differ.

Two points were especially dwelt upon in this complaint. One was, that nothing was be given or received for wives; the other was this rather startling statement, that the man or woman not married in a place of worship was not married at all, and might be taken by another party as husband or wife as if unmarried.

As I observed, there was a very strong feeling upon the subject of the marriage laws; I carefully and fully explained so far as was in my power. I informed them that there was probably some mistake, as no instructions had reached me from Government respecting such a law, and if such a law had been made I should have heard of it.

I explained at length what the law of God teaches, and what Christians generally believe on the subject of marriage. I then stated that all that Government had done, or I believe intended to do, in such cases was simply this, that Government was willing that the Fingoes as well as the white men might receive the Word of God if they were willing to do so, and that teachers might come amongst them to explain that Word; but that the Government had not, and I did not believe intended to, make any law whereby force was to be used in such matters; that the only force I could recommend in such things, or the mind obey, was that of reason and love. This explanation was quite understood, and seemed to give perfect satisfaction to all.

The laws of marriage are one of the foundations of society, and these foundations should not be shaken without much consideration and care.

The terms "buying and selling" are scarcely fair terms in describing the transactions referred to. The property given in the case of marriage amongst these people forms a provision for the widows and family in case of the husband's death, which arrangement is held sacred and universally recognized by all Fingoes and Caffres. Now in this view of the case there is much to be commended, and by hastily and harshly breaking it up, quite as much evil as good may be effected.

Besides, there is another important view of the case, which can only be safely dealt with by imparting instruction, it is this:—A respectable Caffre or Fingoe woman considers herself, and is considered, as forming an improper connexion if married without the giving of cattle by the husband, as much as a respectable white woman would do to live with a man to whom she is not married. Such matters require to be carefully dealt with.

Painting, and indecent dances.

At the same time I pointed out to the Fingoes that there is a wide difference between the laws of marriage, and their painting and indecent dances. These customs they knew were not originally Fingoe customs, but they had learned them from the Caffres. The one, that of painting, was a badge of heathenism, and only resorted to by those determined to resist Christianity and civilization.

The other, that of indecent dances, is an offence against society, and ought to be opposed by all good men. And that I should certainly advise its being punished; that indeed the old law of the colony authorized the punishment of such conduct whether in the case of white or black men.

These sentiments were very generally and fully acquiesced in. One of the leading chiefs, in following up my remarks, said, "Yes, you know it is true what you have said. Painting "and naked dancing is not an old custom of the Fingoes, we learnt it from the Caffres; "these things can be put down by force, and let them die to-day."

This hint should be taken and much evil might be checked.

9. It was complained of by Zazela and his people that they had been made to pay one penny sterling for each pass granted by the superintendent, Mr. Verity. I promised to inquire into the matter.

Mr. Verity informed me that he was authorized to charge the penny by the Civil Commissioner in order to pay for the paper; but that he, Mr. Verity, had given it up, and supplied stationery out of his own pockot.

Zazela is the only chief who spoke in an unsatisfactory manner.

He expressed his complaints in a disagreeable tone and manner towards the Civil Commissioner and superintendent, and appeared to set little value upon the grant made to him by Government. The land is very fine, but too small, and access from it to the Kat River should be secured for times of drought. I know the locality well, and there is no water in it in a drought. I asked Zazela if he had nothing to be thankful for, or if he had only complaints. He replied, "I am thankful to Government for sending you, and to you for coming to see and hear for yourself. I have nothing else to thank for."

I intimated my dissatisfaction with the manner, though not with the matter of his complaints, and hinted that I feared his heart was not right.

Several of the leading men thanked me for this reproof to Zazela, and condemned him publicly.

Before I left, Zazela came to me and said he was sorry, asked pardon, and declared his heart was right towards Government.

VI.—Opinion as to the Future with reference to the Fingoes.

During my recent visit four subjects of consideration have been often brought before my mind as deeply concerning our future relations with the Fingoes.

Numbers and proximity.

1. The extent and proximity of their locations.* Independent of the rest of the Eastern Province, we have in the three frontier divisions named, a Fingoe population of souls, comprising men capable of bearing arms , armed with guns, and so situated as to be able to act in concert on a very short notice.

Young men.

2. While there are many interesting indications of improvement in many of the locations, yet the great mass of these people are heathen—strongly attached to heathen and uncivilized practices. The great number of young men in these various locations now growing up and beginning to exercise influence is another ground of anxiety for the future. These young men are, with few exceptions, bent upon keeping up all the customs of savage life. They are particularly unwilling to submit to any restraint.

The influence exerted upon them in their intercourse with the white men, with whom they have generally associated in levies during war, has had anything but a good effect upon them, either as to obedience or moral habits. If preventive and remedial measures cannot be applied, I confess I feel somewhat anxious as to the future.

Evil habits.

3. The difficulty there is in repressing certain evil habits amongst these people which ought to be repressed, and which must be interfered with in our peculiar circumstances (so mixed up with these people), forms another ground of some anxiety. I refer chiefly to indecent, licentious, and indolent habits. These evils will be most effectually abolished by the diffusion of religious and moral principles. But the power of the magistrate requires to be exerted and felt to a greater extent than at present, and that power, in the circumstances of the country, either is not or cannot be always advantageously exercised.

Chieftainship.

4. The evident desire of the chiefs to establish and extend their chieftainship, is, to my mind, another ground out of which danger may arise. The inconvenient crowding of the locations is chiefly to be attributed to this. In Victoria, it is entirely so. I have been struck with the fact that the complaints of want of room have been chiefly urged by the chiefs.

The real state of the case on this point will perhaps be best brought out by the following extract from my rough notes.

I may premise that the chief here spoken of is exceedingly friendly. I have perfect confidence in him.

The chief (Matomela) after an exchange of a few words with the members of his own family—which words I overheard, and was put on the alert by them—said aloud to the people,—

"You must speak—three things must speak—the chief; the chief's house; the Amapakati and the people."

The chief and the chief's house thanked God and the English, the Government and myself, for the great things done for them, in having found for them a country, as rich a country as was found for the children of Israel. Most of the chief's house profess Christianity, hence their allusion to the Israelites.

The father, brother, and brothers-in-law of the chief, as well as himself, then said, that there was only one thing they had to complain of, and that was, the country was small.

From what I observed and knew of this location, I felt satisfied that this was not the sentiments of the people. I therefore said I had heard the chief, and the chief's house, but as this was a great thing, and Government was ready to hear the truth and do what could be done for the children of Government, such as the Fingoes, either here, or, if not here, elsewhere, I wanted to hear the counsellors and the people.

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* Some of the individual locations are very strong: Jokweni has about 500 men, Matomela about the same, Mamanhla 300, and Zulu nearly the same.

CAPE OF GOOD HOPE.

A number of old men spoke, and unanimously and earnestly declared that they had nothing to complain of, their country was good and large; they had come out of the fire; they trembled to look back; they can sleep here, they could not do so whence they had been brought by the mercy and power of Government. They were thankful and glad to see my face among them, and said, "it is good that you can see and hear for yourself. Come often."

I saw clearly that the complaint about land was merely a means of establishing the power of chieftainship.

And this unfolds one of our great difficulties on this frontier. When the Fingoe was broken and scattered he was humble and docile, but when collected into tribes and rich former difficulties are forgotten, for they are men.

In this instance the people were not inclined to extend the chief's power. It may not always be so. To bring out the real truth I quietly interfered, and said the words of the Amapakati who had spoken were wise and good words. But the chief and his house had said that the land was narrow. A number of the older men cried out "No, No." I said, "No, I must hear the chief. The children of Government and things must not die for "want, and as the country was narrow, although I thought with the Amapakati that it "was rich and large, I should inform Government of Matomela's complaint, and ask for a "country elsewhere, and I knew of none unless across the Kieskama." Matomela and his relatives immediately replied, "No, we are satisfied. The land is good, and although "there have been some changes, we have more land of our own to-day than we had "before. I am satisfied, I shall stay with you (meaning the white man and Govern-"ment), whatever happen."

This extract, I believe, gives a fair view of the case, and there is nothing surprising in it. I have, as I have said before, confidence in the friendly feeling of Matomela, and he would be one of the last to make a bad use of his power against the colony. But he is a man and a chief.

It is, I consider, quite necessary in the present state of Fingoe society to use the chiefs and to treat them with respect. I would do so, and pay them well for their services.

But independent chieftainship within the colony is an *imperium in imperio* of a dangerous character for the permanent peace of the country.

During the late war Sir H. Smith brought from the neighbourhood of Butterworth a Fingoe population of between three and four thousand souls.

It is to be regretted that these were brought into the colony, and into the already formed locations.

This has much increased our difficulties.

Feeling towards Caffres.

They are at present generally hostile to the Caffres; but it should not be lost sight of that the points of sympathy between them and the Caffres are far more numerous than those between the Fingoe and white man.

In the one case the language, laws, customs, mode of life, and, above all, colour, are the same. In the other they are all different.

The white man and the Fingoe are not generally drawing nearer one another in sympathies.

A careful observer cannot but feel that a union in certain circumstances, which might soon arise, might be more rapidly effected between the two coloured races than between one of them and the white man.

Moreover, many circumstances connected with the present state of the frontier seem, in my estimation, rather to tend towards such a union.

VII.—*Suggestions.*

In offering a few suggestions, I shall not in any case enter into detail, as this report is already too long.

Lessen the number in large locations.

1. I think every proper means should be used to diminish the number of men in the large locations. If it could be effected I should say it would be desirable to have the locations not much exceeding 100 or 150 families each, and as far apart as practicable. It will now be difficult to effect this. But I would suggest that it should be ascertained what land in the Eastern Province is still in the hands of Government, and if suitable localities can be found, means should be taken to induce the formation of locations of Fingoes drafted from those now under consideration. Wherever a really good piece of country can be found of a few thousand acres, and the further into the interior of the colony the better, a location should be there [formed. I would not attempt a location upon an inferior piece of country.

Every location formed should contain the means of subsistence and improvement. Such locations should not be formed at once or by force. It should be a work of time.

But I think if proper sites could be found, the plan could be wrought out in time to the great advantage of the Fingoes themselves, and the colony. The only other means I can see for the thinning of these locations is to look to the Crown reserve or even further eastward. This plan, however, would probably be attended with greater difficulty and less advantage.

And I am myself unwilling to recommend any plan by which these people would be removed farther from instruction and civilization.

CAPE OF GOOD HOPE.

Subdivision of lands.

2. I would urge the measurement and subdivision of the locations, in order that it may be known certainly what number can be maintained on each location, and that titles may be granted to all who may be considered entitled to the same. It is a very marked feature of the Fingoe character to look after his own. This is much more the case with the Fingoe than the Hottentot or even the Caffre. This is a feature of character apt to develope itself only in unamiable forms. Yet it is a feature of character of very great importance in a people whom we may seek to change from barbarism to civilization. I have found that my explanations respecting the subdivision of the country, so as to give every man a home, has done far more than anything else I could say to satisfy the people that Government was really seeking to promote their interests; and that it was only reasonable and proper to prevent the locations from being crowded.

When I sought to reason with the people, as I often did, on the folly of expecting that Government could go on for ever providing land for every one, but that men must labour and accumulate and buy for themselves, when they can, as all industrious persons will do, I felt that the only satisfactory and sure ground I could occupy with them was the proposed plan of granting title to those who had an acknowledged claim. I saw that those whose claims were likely to be acknowledged were at once inclined to take my view of the case.

Give men a real and unfettered interest in a country, and generally speaking they will help to defend it and promote its interests. There are exceptions, but this is the rule. I have great confidence that the Fingoes will illustrate this principle.

Greater efforts for their improvement.

3. Greater and more adequate efforts ought to be made for the improvement of these people, both by Government and by missionary societies. Far more should be done than has yet been attempted, to push forward the Fingoes in intellectual, moral, and religious culture, and in agricultural and mechanical skill. More money should be spent for the advancement of these people. The case is urgent. They are peculiarly situated. They are within our border and on our boundary. Viewing the matter merely as a political question these people cannot be left without improvement without danger to the colony. They are committed to our care by an over-ruling providence.

It is one of the important missions of this colony to improve them by every reasonable means. The results may seem at first small for a large outlay. But we ought not to forget their and our position. The contest to a great extent must be here decided between Christianity and heathenism, between civilization and barbarism. If the colony prove herself unequal to the task, she must suffer.

Interest of colonists in this matter.

4. Not merely the Government and religious bodies are concerned in this question. It is truly a social question, and every colonist is deeply concerned. We are so circumstanced in this country, surrounded and mixed up with such masses of Aborigines that one of the most effectual measures that can be adopted for our improvement, prosperity, and security is simply this, for all to believe and act on the conviction that our interests are one, that the black must advance and prosper with the white, or both must suffer together.

This is in our circumstances a law from the operation of which we cannot escape. It is the duty of the white man from his superior intelligence to acknowledge this, and it is his interest to act upon it. It is a law of providence in our case in this colony, that cannot be violated with impunity.

General management.

5. From what I have now seen, I should say that all Fingoe locations and their superintendents should be under one general management. One code of regulations should be framed for all and strictly adhered to.

A plan for the formation of Fingoe locations, instructions to Fingoe superintendents, and a scale of rewards for agricultural and other improvements drawn up by me, approved of by Sir H. Smith, and published in the Government Gazette of 15th February 1849, contain the principles, with some slight modifications and additions, on which I consider the locations should be managed. The unsettled state of the country has hitherto prevented these plans from being fully developed and carried out.

I submitted to the last meeting of the Native Improvement Board, a memorandum on the agricultural and general improvement of the Fingoes, which was approved of and forwarded to the Colonial Office, as a part of the Minutes of Board, for the information of his Honour the Lieutenant Governor.

Pass system.

6. I now entertain considerable doubts as to the advantages of the present system of passes. If it has advantages, I am inclined to think that those are counter-balanced by its disadvantages. Many of the Fingoes live at a great distance from the residence of the superintendent, and much time is spent in seeking passes.

It is difficult to exercise a discriminating power in the issue of passes; on the one hand to prevent abuse, and on the other to prevent unnecessary irritation.

I very much question if the system prevents the commission of crime, or assists in its detection when committed. So far as my experience goes, it has not had this effect.

With regard to the prevention or detection of crime an effective police will best meet the case.

With the exception of cases in which property is being removed from one place to another, I am inclined to think that the issue of passes might be safely dispensed with, and much trouble and irritation avoided.

W. Calderwood,
Special Commissioner.

Office of Special Commissioner, Alice,
January 22, 1855.

CAPE OF GOOD HOPE.

No. 24.

No. 24.

EXTRACT from a DESPATCH of Governor Sir GEORGE GREY to the Right Hon. Sir GEORGE GREY, Bart., dated Graham's Town, South Africa, January 31, 1855. (Received April 30, 1855.)

(No. 22.)

"IN reporting to you my arrival upon the frontier of this colony, I beg to state, that I see no reason in any way to alter or modify the views I have already expressed regarding the unsatisfactory state of our present relations with the native tribes, both within and beyond the colonial boundary."

* * * *

"I am making preparations to carry out vigorously the line of policy which I sketched out in my Despatch No. 7, of December 22, 1854. In so doing, I am receiving every assistance from the authorities and principal persons in this part of the country. From what I have now seen of the natives here, I feel very confident of its ultimate success. Indeed, I am sure that if Her Majesty's Government will resolve on resolutely adhering to that plan for a few years, they will have the happiness of entirely settling those questions which have for so long a time distracted this country.

"In the full reliance that they will adopt this course, and that Parliament will gladly sanction the adoption of measures which are so evidently suited to the circumstances of South Africa, and which will ultimately effect so large a saving for Great Britain; I intend unhesitatingly to take the responsibility of spending the amount alluded to in my Despatch No. 7 of December 23, feeling no doubt that Parliament, will in its wisdom, see fit to vote the necessary sums to make good the amount which will thus be disbursed. I feel the more emboldened to take this step because, upon a previous occasion, in the instance of New Zealand, I adopted a similar course, Parliament then generously gave me its confidence, and I in every respect, fulfilled the inducements which I held out to lead them to vote the necessary amounts, as at the period which had been promised, New Zealand had entirely ceased to be a burthen upon the mother country."

No. 25.

No. 25.

COPY of a DESPATCH from Governor Sir GEORGE GREY to the Right Hon. Sir GEORGE GREY, Bart.

(No. 31.)

Dohne Post, Amatola Mountains, South Africa, February 14, 1855.
(Received April 17, 1855.)
(Answered No. 23, April 28, 1855, Page 72).

SIR,

I HAVE the honour to report that upon my arrival in this colony it was stated by several persons to the Government that Sandilli, the chief of the Gaika tribes, had declared that he would not attend at any other interviews with the Governor of the country. The cause of this determination on his part was alleged to be his fear of treachery, although it appeared to me to be the mere bravado of an uncivilized man.

2. I thought it, however, to be my duty on entering Kaffraria to let it be understood that I had no desire to hold any interviews with the chiefs, and should not, therefore, invite them to any meeting.

3. The result of this was, as might have been expected, that the Gaika chiefs, as soon as I entered British Kaffraria, communicated with their commissioner, stating their desire to see me, and to wait upon me at any place in their vicinity which I might visit. The answer returned was, that I was inspecting the different military posts, and that I should visit the Dohne Post, where if any of them wished to wait upon me they could do so. The friendly chiefs had in this manner waited upon me as I have proceeded on my journey.

4. Sandilli, Anta, Macomo, and the other principal chiefs of the Gaika tribes, having received this message, repaired to this place, a military post, where they have for several days, with about 800 of their followers, unarmed, awaited my arrival.

5. After that I arrived here this day I first visited, in company with Lieutenant General Jackson, the military post, and we then received the Gaika chiefs at

the commissioner's house, about 200 yards from the post. The chiefs thus, for the first time for several years, so far showing confidence in us as to assemble fearlessly at a military post, being themselves unarmed, whilst an armed British force was close to them.

6. As they were unwilling to speak first I began the proceedings by thanking them for having come, some of them from a very considerable distance and at much inconvenience, to wait upon me, adding that I was very glad to see them.

7. Sandilli replied by expressing the pleasure with which they met me. They thanked God for having brought me in safety across the broad sea, and actually up to them, so that they had this day the pleasure of seeing me, and could now look up to me. That one subject lay very near their hearts, and with my permission they would avail themselves of this opportunity of opening their hearts to me.

8. I had understood previously from Mr. Brownlee, their commissioner, that they intended to pursue this course, and that when I had given them the permission they asked for, Macomo was to press me to restore land to them or to provide more land for them. I had also heard that on previous similar occasions with other governors, when Macomo had been spokesman, on the subject of restoring lands, that when their requests had not been complied with angry and rather unpleasant conversations had ensued. To avoid this, therefore, and yet to let them plainly understand what my intentions were, I replied,—

That a child newly born into the world was long before it could distinguish its own parents from other persons, longer still before it could distinguish friends from foes. That I was yet, in this country, but a new-born child; therefore I could answer no matter hurriedly. I therefore intended to lay down the rule that all great public matters must be submitted to me in writing. I begged, therefore, that they would write me a letter expressing their wishes, and send it to me through their commissioner. In this way I could not possibly misunderstand their request, nor could my reply be misunderstood. Moreover all that passed between us would then remain on record, and would be fully considered before I came to a decision.

9. This answer confused them very much, as it was quite unexpected, and after a long consultation, Sandilli, still as their spokesman, said, they only begged me at least to hear what they had to say now, they would then write it down and await my answer.

10. These natives are very subtle, and I feared they thought by prolonging the conversation they would gradually draw me into a public argument. I thought also that by hearing them I might lead them to indulge hopes which I could not fulfil, and thereby ultimately cause disappointment. I therefore replied, that I must decline hearing what they had to say; that I should often afterwards visit them, and gladly hear their private complaints, and redress them if I could, but that their general request must be delivered to me in writing.

11. This answer evidently discomposed them much, and an air of embarrassment spread over all their chiefs. I therefore rapidly turned the conversation to the subject of a disease now spreading amongst cattle and horses, and in a few minutes, by leading them to thoughts agreeable to them, a cheerful and merry conversation sprung up; their countenances changed from gloom to mirth and animation. Some bullocks, tobacco, and blankets were promised to them, as also four saddles, one to each of their principal chiefs. Sandilli begged to have a plough given to him, and finding he would really use it, I promised him one, and the assembly soon broke up in the highest good humour, and as I met the chiefs moving about afterwards all looked happy and contented.

I should add, that all which passed at this meeting, and all I have seen of the Kafirs since I have been in their territory, entirely satisfies me that if Her Majesty's Government will assent to my carrying out the plans I propose, a very few years will suffice to entirely settle the troublesome questions which have disturbed this country.

I have, &c.,
(Signed) GEORGE GREY,
Governor and High Commissioner.

The Right Hon. Sir George Grey,
&c. &c. &c.

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No. 26.

No. 26.

Extract of a DESPATCH from Governor Sir George Grey to the Right Hon. Sir George Grey, Bart.

(No. 35.)

Government House, Cape Town,
March 7, 1855.
(Received May 11, 1855.)

"I have the honour to report that I arrived yesterday at Cape Town, having made the necessary temporary arrangements upon the frontier, and having acquired such information as will enable me hereafter to submit in detail to Her Majesty's Government a plan for the complete settlement of the frontier question in this country.

* * * * *

I have only time before the mail closes briefly to state the plan of proceedings which I propose for adoption; but the state of the country is so critical, and its whole future so entirely depends upon the promptitude with which measures are now taken to avert the evils which threaten it, that I earnestly entreat Her Majesty's Government not to lose a day in carrying this plan out, which is not an expensive one, has already been tried, and has succeeded, and which can be carried out readily with the resources at the disposal of the Home Government.

I propose that without delay one thousand enrolled pensioners (upon the same regulations as they were sent to New Zealand, under the admirable system devised by Earl Grey,) should be forwarded with their families to the Buffalo Mouth; this force to be ultimately and by degress increased to a force of five thousand enrolled pensioners, all married men with families.

The first detachment of these men shall be stationed at King William's Town, and Alice, where there are considerable garrisons. I am having land prepared for them (one acre for each man) immediately contiguous to the posts, so that the military posts and pensioner's villages form a continuous series of defences. The land is of excellent quality; nearly every acre is under a water furrow, and capable of irrigation. It is situated so as to touch or form a part, in each case, of what is now a considerable village, and will probably form a town. An acre of land and the pensioner's house upon it will, therefore, at the end of his seven years, be of considerable value to him, and thus holds out a great inducement to military emigrants. I have further directed that for every acre of land given to a pensioner, one should be reserved, to be ultimately sold to pay the expenses of the plan, when the increase of population, from the settlement of the pensioners, has given a considerable value to the land.

When the points I have named are occupied by the first detachment of pensioners, I propose that the same system should be pursued at Graham's Town, and at several of the military posts in British Kaffaria.

The result of this system will be, that probably so great an increase of our force will altogether prevent hostilities from ever again breaking out in Kaffraria, whilst, should they unfortunately break out, the pensioners will form the garrisons of the military posts, and thus set the whole military force free for operating against the enemy, who could thus at once be speedily and effectually crushed before the disturbances had spread to any great extent, or many tribes had become involved in them.

The immediate stimulus that would be given to trade, and the increased demand for agricultural produce, for stock, and for native labour, which would be created by this immigration, would also tend materially to occupy the minds and energies of the Fingoes and Kafirs, who are essentially money-loving races, and would thus divert them from war.

The children of the pensioners, reared in the colony, would be in sufficient numbers, with the other inhabitants of Kaffaria, and with the well disposed natives, not only to hold in check disaffected spirits in their own vicinity, but also to defend themselves against other border tribes, without any further assistance from the Home Government, and the revenues of Kaffraria would, with so large a population, quite suffice to defray its own expenses.

If Her Majesty's Government will adopt this plan, in conjunction with the measures, which I have already submitted home, for the establishment of industrial schools, the employment of natives on public works, &c., I will hold myself responsible for the future peace and prosperity of this country, and for

the rapid and continuous reduction of the heavy cost which it has for so long a time entailed upon the British treasury. In a few years our frontier defence will consist of a strong European population of young men accustomed from childhood to the country, mixed up with a civilized coloured race won from heathenism and barbarism by our exertions, whom their fellow-countrymen beyond their border will be rather disposed to emulate and imitate than attack, but who, if themselves and their properties were attacked, would be far better able to defend their own country than any force we could furnish could do it for them.

Under the belief that the advantages of this plan will be so obvious, and the execution of it so easy, whilst the dangers and expenses which we are likely to incur from doing nothing are so imminent, that Her Majesty's Government will at once order it to be carried into execution, I shall continue to make preparations for the reception of one thousand enrolled pensioners, on their arrival at the Buffalo Mouth, and for immediately placing them upon the land to be assigned to them.

The experience I have already had in duties of this nature will considerably facilitate the carrying out of the plan I propose, and no effort upon my part shall be wanting to render it in every respect as effective and successful as you could desire."

No. 27.

No. 27.

Copy of a DESPATCH from Governor Sir George Grey to the Right Hon. Sir George Grey, Bart.

(No. 39.) Government House, Cape Town, March 17, 1855.
(Received May 17, 1855.)
(Answered, No. 23, June 3, 1855, page 72.)

Sir,

In compliance with an intention which I have already had the honour to report to you, I opened the session of the Cape Parliament upon the 15th instant.

2. I herewith transmit copies of the speech which I addressed upon that occasion to the legislative bodies, of an address which the Legislative Council is about to present to me, and of the reply which I intend to return to that address. It is not in my power to forward by this opportunity a copy of the address from the House of Assembly.

3. My opening speech contains a full exposition of the policy which I propose to pursue as High Commissioner, and of that which, as Governor of the colony, I earnestly recommend for the adoption of the Home Government and of the Colonial Parliament; I therefore beg to request your attention to that subject.

I have, &c.
(Signed) G. GREY,
Governor.

The Right Hon. Sir George Grey,
&c. &c. &c.

Enclosure 1 in No. 27.

Encl. 1 in No. 27.

His Excellency the Governor's Address to the Legislative Council and the House of Assembly, at the Opening of the Second Session of the Colonial Parliament.

Mr. President and Gentlemen of the Legislative Council:
Mr. Speaker and Gentlemen of the House of Assembly:

It gives me great pleasure to see thus collected round me those who are, by local knowledge and experience, so eminently qualified to aid and advise me in the difficult duties which the Queen has been pleased to intrust to me.

To you, as the freely chosen representatives of Her Majesty's subjects in South Africa, I can look with confidence for an expression of their wants and wishes. Upon your wisdom I can unhesitatingly rely, either to devise the necessary measures to give effect to

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those wishes, or so to modify those which I may propose for your consideration, as to adapt them to the circumstances of the country, and to the feelings of its inhabitants. Further, I rely confidently that your feelings of patriotism and affectionate loyalty to your Sovereign will lead you, in the present crisis of the affairs of Europe, to attempt, by all the means in your power, to render this country rather a source of strength and pride to Great Britain, than such a cause of anxiety and alarm has it has hitherto been.

Already the people of South Africa have, by a munificent and noble subscription, shown their sympathy with those brave men who are sacrificing their lives and energies to bring to a successful issue the great contest on which their country has entered. Such an instance of bountiful generosity on the part of Her subjects in South Africa, given at a moment of great individual loss and suffering to themselves, will prove most consolatory and gratifying to the Queen, more especially from the connexion existing between this colony and the late Sir George Cathcart,—for you are aware that Her Majesty had repeatedly and warmly expressed her approval of the services of your late Governor, who, after a life of public usefulness, and after such eminent services rendered to this country, has recently fallen, by an untimely but most glorious death, in the very moment of victory,—the comrade in arms of those, to relieve the wants of whose families this colony has now so nobly subscribed.

You, acting in your legislative capacity, will, I am sure, still further encourage and fortify your Sovereign, by showing your determination that the affairs of this country shall be administered with a view to the welfare of Her whole empire, and not upon the narrow and restricted principles which would measure every question with a view to mere local interests or prejudices.

You are aware that the British territories in South Africa consist of two portions. One of these—British Kaffraria—lies beyond your jurisdiction and control; its government and affairs may at present be said to be administered by myself, as Her Majesty's High Commissioner. The other portion constitutes the Colony of the Cape of Good Hope. That district I can, on her Majesty's behalf, only govern with your consent and advice, and in accordance with your views and wishes. Beyond these two portions of territories lie other states, forming independent powers, ruled by persons of European descent, or by chiefs of the native races. Over all such territories Her Majesty's High Commissioner can, by advice or otherwise, exercise a greater or less degree of influence, in respect of which he is not responsible to this Legislature. But in any attempt to carry out plans which, instead of only aiming at maintaining on the frontier a temporary, momentary peace, and at a mere putting off for the instant of imminent danger, embrace within their grasp views for the ultimate security and greatness of the whole territory of South Africa,—which contemplate its existence as a real power, which may hereafter bless and influence large portions of this vast continent,—it is essential that there should be no divided views between the several authorities who can bring about such a desirable state of things, no conflicting legislation for minute portions of the country, no petty jealousies regarding the exact limits of separate authorities. On the contrary, all who are interested in the future of this country, and who have the power to influence it, should have before them a distinct plan which all are anxious to see realized, in the carrying out of which all are eager to co-operate.

I shall, therefore, unhesitatingly lay before you the line of policy I propose to pursue in British Kaffraria, and my views in reference to the countries which lie beyond our border. Should these be adverse to the interests of the Cape Colony, or opposed to the feelings and interests of its inhabitants, you, their chosen representatives, can advise me of this, and counsel me as to the modifications which you think desirable. Should, however, my views be in accordance with your own, and such as must, in your opinion, promote the prosperity of South Africa, then you, as the depositaries of the revenue and resources of this colony, can render me the most material aid.

I propose that we should dismiss from our minds the idea of attempting to establish or maintain a system of frontier policy, based upon the idea of retaining a vacant tract of territory, intervening between ourselves and a barbarous race beyond it, who are to be left in their existing state, without any systematic efforts being made to reclaim and civilize them. The necessary results of such a policy appear to me to be, that such a people as the Kaffirs, so abandoned to themselves, will break in upon us whenever it suits their caprice or convenience, whilst the vacant territory would afford a convenient place for them to harbour in, until they ascertained upon what point of our frontier they could most readily and profitably direct their blows, and ultimately an easy and unoccupied line of escape for them into their own country with the booty which they might have secured.

I would rather that we should, with full yet humble confidence, accept the duties and responsibilities of our position, that we should admit that we cannot live in immediate contact with any race or portion of our fellow men, whether civilized or uncivilized, neglecting and ignoring our duties towards them, without suffering those evils which form the fitting punishment of our neglect and indifference; that we should feel that if we leave the natives beyond our border ignorant barbarians, shut out from all community of interest with ourselves, they must always remain a race of troublesome marauders, and that, feeling this, we should try to make them a part of ourselves, with a common faith

and common interests, useful servants, consumers of our goods, contributors to our revenue; in short, a source of strength and wealth for this colony, such as Providence designed them to be. What, therefore, I propose in this respect is, that, availing ourselves of the fertility of British Kaffraria, and its power of maintaining a dense population, we should fill it up with a considerable number of Europeans, of a class fitted to increase our strength in that country, and that, at the same time, unremitting efforts should be made to raise the Kaffirs in Christianity and civilization, by the establishment among them, and beyond our boundary, of missions connected with industrial schools, by employing them on public works, and by other similar means.

Should this plan be carried out, our ultimate frontier defence would be a fertile and populous country, filled with a large population, partly European, partly native; the Europeans, reared in the country, acquainted with its inhabitants, and their mode of warfare; the natives, won by our exertions to Christianity, trained by us in agriculture and in simple arts, possessing property of their own and a stake in the country, accustomed to our laws and aware of their advantages, attached to us from a sense of benefits received, respecting us for our strength and generosity.

The native races beyond our boundary, influenced as they would be by our missionaries, instructed in our schools, benefiting by our trade, would be likely to attempt but little against such frontier, occupied to a great extent by their own race and countrymen, whose example they would be desirous of emulating and imitating. Did they, however, attempt any enterprise against it, a mixed European and native population, such as I have described, could more readily repel and punish them than any other description of force.

Enrolled Pensioners.

The means by which I hope that this may be accomplished are as follows:—Firstly, with regard to the military protection of the country, and the introduction of an increased European population, I propose that men from the enrolled pensioners in England should be allowed to volunteer for service in South Africa, under the admirable system devised by Earl Grey.

If this plan is sanctioned by the Home Government, the men enrolled will never exceed forty-five years of age. They will be medically approved of as fit for the occasional military duties required of them. They will be carefully selected from that class of men whose services are most likely to be valuable in new countries. They will be all married men, the maximun of their families being five; and with their wives and families they will have a free passage given them to this country.

Upon their arrival, they will be located, with their officers, in the immediate vicinity of a military post; each man will have an acre of good land, with a cottage upon it, allotted to him; and their villages will be so arranged, that they will, whenever practicable, form, together with the military post, a continuous series of defences.

The conditions of their service will be, that they serve for seven years; that they never go more than five miles from their village; that they assemble under arms for church parade every Sunday; that they serve twelve days in every year without pay, whenever called on for that purpose; and at all other times, when called out, for a stipulated rate of pay. At the termination of their seven years' service, they will receive a free grant of their cottage and acre of land.

I have already recommended that one thousand men and their families should, under this system, be sent out for location on the frontier and in British Kaffraria, and I propose that, ultimately, this force should be increased to 5,000 men.

It is probable that so large an increase to our European population, and the advantages to which I will presently advert, as resulting from the introduction of pensioners into the colony, would, in conjunction with the other measures which will be taken for the control and improvement of the Kafirs, prevent any war of magnitude from again breaking out. Should these expectations, however, be disappointed, the pensioners would then form the garrisons of the military post, and the whole military force would be set free for operations against the enemy, and thus enable the Government to carry on the war with greater vigour and effect than it has ever hitherto been able to do.

Other great advantages will follow from this system of introducing European immigrants. The pensioners enrolled for service are capable of defending the country—they cannot leave it for seven years—their children are not likely to desert the home of their parents, whilst they will afford excellent recruits for our border police force, and a nursery of servants and labourers for the colonists. The outlay caused by the introduction of these pensioners, and the constant expenditure of their pensions, as well as the value that will be given to all property from increased security, and so largely increased a population, will give a great stimulus to trade and enterprise, which will be felt in every portion of the colony.

I even hope that the increased demand for agricultural produce and stock, as well as for native labour, which will follow such an increase to our European population, will tend materially to occupy the minds of the natives, and to lead to a permanent improvement in their condition.

It seems certain that the increased security that will by this system be afforded to life and property, and the general prosperity which will be imparted to the colony, will then render it a fit and attractive field for general European immigration, which would be likely to be drawn to a colony already affording such vast natural resources, and which

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would then promise to those who might enter it the secure and peaceable enjoyment of the fruits of their industry.

In order ultimately to defray, in part, the expenses of introducing these military emigrants, it is intended, as the sites of the pensioner settlements will generally adjoin to, or form a part of, what is now a considerable village, and will probably form a future town, to reserve an acre of land for every one which is granted to a pensioner. Ultimately, when the increase of population from the location of the pensioners on the spot has given an increased value to the land, the reserved acres will be sold in lots, to pay in part the expenses which have been incurred. Thus the expenditure caused by carrying out the plan will be, in a great part, merely an advance made at the moment, to be repaid at no very distant date.

I trust that, in order to effect a large future reduction of military expenditure, the Home Government will not hesitate to make, to a considerable extent, the advances necessary to give effect to the recommendations I have made; but I think also that you would act wisely in authorizing some part of these advances to be made from colonial revenues, and you would be amply repaid by so doing, in a public point of view, from the great increase of revenue which you would derive from your augmented population, and from the increased native trade; in a private point of view, by the greatly increased value which would be given to property of every kind by such a system as I have described.

I will cause to be laid before you copies of the conditions, under which I have recommended that pensioners should be enrolled for service in South Africa. They are the conditions under which pensioners were enrolled for similar service in New Zealand, so altered as to suit the circumstances of this colony. In the former country, the plan worked in the most successful and satisfactory manner, but with the experience I there acquired, I think I could make it even still more successful and satisfactory in South Africa. If the plan is sanctioned by the Home Government, I will exert myself to the utmost to make it productive of advantage to this country, and beneficial to the interests of the men who may volunteer to serve here.

Increase of Mounted Police Force.

To aid in this system of defence for the frontier, I must look to you for such an increase in the existing mounted police force as will adequately provide for the wants of the frontier in that respect. I shall propose for your consideration a law, which will bestow a new organization upon that corps, and will enable the Government to render it a most efficient and formidable body.

I earnestly recommend you, in providing funds for organizing and equipping that force, to leave to the Government the power of making the necessary increase in it, not hurriedly, but from time to time, as fitting candidates present themselves; as I think a considerable time must elapse before it can be judiciously raised to its full complement. I also recommend you to leave to the Government the discretionary power of employing it either within the colony, or beyond the boundary, as it may judge most expedient. The object of the force is to secure the safety of the colony, and of its inhabitants, and the Government should be allowed to employ it, where, and in that manner which will best attain those ends.

Burgher Force.

I must also leave it to your wisdom to make such provision for the defence of the colony by a burger force as you may judge most prudent. If you place such a force at the disposal of the Government, it will endeavour to exercise the powers thus confided to it in such a manner as may best secure the safety of the people of the country, without interfering vexatiously or unnecessarily with their interests or pursuits.

I must yet notice another force, enrolled for the defence of the frontier. I allude to the Fingo militia, four companies of which are kept enrolled, and paid, as nuclei, around which larger corps may be immediately formed, in case of the actual invasion of the colony. I trust that such a force may not be permanently necessary, although there are great difficulties in the way of immediately disbanding it. I think also that, by some modifications in its organization, it might be made much more useful than at present. I propose, therefore, to endeavour to carry out arrangements, under which the men enrolled in this force, whilst retaining their present character of a militia, may be employed on public works, receiving for these extra duties a small rate of working-pay.

Fingo Militia.

Such a change in the organization of the Fingo militia will render it far more useful to the colony, and it will gradually train the men to habits of industry and of useful occupation.

I have now gone through the system of border defence, which I propose should be adopted—a system which, while it will immediately place the Government in a position of far greater strength than it has ever before occupied, and will thus discourage, and I trust altogether prevent, another invasion of the colony, will, at the same time, by the introduction of a large European population, prepare the way for our gradually lessening our demands for military aid upon Great Britain, and of finally depending altogether upon our own resources.

Little would, however, be done if we stopped here. We should, I think, use our time of strength, when our generosity cannot be misunderstood, to instruct and civilize—to change inveterate enemies into friends, alike from interest and increased knowledge—destroyers of our stock and produce into consumers of our goods and producers for our markets.

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Missions and industrial schools for natives.

With much experience on the subject, I feel entirely certain that this can be accomplished. The means by which I propose to attempt it are, as I have already stated:—the encouragement of missions connected with industrial schools, in which the natives may be trained in Christian doctrines, and at the same time instructed in the arts of civilized life—which institutions I hope to see spread far beyond our frontier;—the establishment of hospitals, where the sick of the native race, as well as Europeans, may be carefully tended, and of other such like charitable institutions;—the employment of adult natives upon public works, which will in fact form also industrial schools, where they will be trained to perform operations of industry, and to use implements with which they are now almost entirely unacquainted.

My views with regard to the encouragement of the missions, and the establishment of industrial schools, have already been so fully laid before you that I need enter into no details upon these points; but I must express my deep gratitude to the bishops and clergy of this colony, of every denomination, for the earnestness, zeal, and disinterested generosity with which they have already aided me to introduce this system. With such instruments to carry out what all must feel to be a sacred duty, there can, I think, be no doubt of our ultimate success.

Employment of natives on public works.

With regard to the employment of natives on public works, I should state that I find a great growing desire amongst the natives to be employed on such works. This I regard as an excellent sign for the future; for, as the natives will not only be paid but will also be rationed on articles such as the natives themselves produce, a spur will be given to the industry even of those who are not employed by the Government, from a ready market for their produce being brought to their own doors.

The present opportunity for commencing this system is also a most favourable one,—since the large losses of cattle which the natives have sustained from the lung-sickness have reduced some of them to want, and these will all thankfully receive the assistance which the public works will afford them; whilst the natives generally have learnt a severe lesson from the prevailing cattle sickness, and have found that they can no longer with safety depend upon their cattle alone, but must also have recourse to agriculture as a means of procuring a certain subsistence.

Whilst, therefore, the native population will so largely benefit by the system of employing them upon public works, the European population will not be less benefited thereby, especially by the trade which will be created in so many directions between themselves and the natives, by the expenditure, on the part of the natives, of the sums which they have earned on the works, or by the sale of their produce for rations; whilst from this trade again will also necessarily spring a friendly commercial intercourse between the races, based upon mutual advantage and convenience, which, continued for a few years, cannot but tend to cement a lasting union between them—whilst the public works executed will prove a source of future revenue and wealth to the country, and will throw open its various resources to the European population which will, I hope, be established there under the arrangements I have already detailed to you.

In order that a proper development may be given to these efforts for the moral training and elevation of the native population, it is necessary that they should be carried on simultaneously beyond the border, and within the border,—for the fact cannot be concealed that if the Fingo population is neglected, that race, which might be such valuable friends, may become formidable enemies.

British Kaffraria to be supported by grant from British Parliament.

I have, therefore, recommended Her Majesty's Government to separate entirely British Kaffraria from this colony, and to provide for a few years for the expenditure in that province by means of a grant from the British Legislature, upon the same plan which was adopted with such happy success in New Zealand; leaving those funds reserved in this colony for aboriginal purposes to be spent entirely for the improvement and civilization of the natives within the colony,—as I am satisfied that where such great exertions are to be made, the resources of the colony will not more than supply its own necessary demands, and that especially at a time when it is called upon to make such efforts to provide a police force sufficient to meet the requirements of the frontier.

In reference to the countries lying beyond the limits of British territory, I propose, wherever it is possible, and where the people are willing to receive them, to encourage the spread of industrial schools, in connexion with those which lie within our limits.

I ought not to conceal from you that I feel much anxiety regarding the future of the republics recently established in our vicinity. It is much to be feared that, from their weakness, they will find great difficulties in working out, unaided, their own prosperity and happiness—and that they may involve themselves, this colony, and the native tribes, in very serious troubles. I can only hope that the anxiety we may evince for their welfare, and the generosity which this Government will exhibit towards them, may be such as to win their attachment and regard, and to convince them that their interests and our own are, in fact, identical,—and that the more closely they can unite themselves with us the stronger and more prosperous they, together with ourselves, will be,—the more efficiently shall we all execute our duties in reference to the numerous inhabitants of the interior of this continent.

Increase of Dutch Reformed Church ministry.

It might, I think, be even now in your power to do much for these republics. The great majority of the inhabitants of those countries are members of the Dutch Reformed Church. Travelling through this country, and contrasting it with other colonies, inhabited

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by a widely-dispersed population, where only very limited means of religious instruction and supervision existed, I have been much struck by observing how powerful an influence the system of government and discipline of the Dutch Reformed Church exercises over the morals and conduct of its members. In a very scattered community, removed from the watchful control of a government, the discipline and system of that church imposes regularity, decency, order, and propriety of conduct, and in fact fulfils many of the functions of government and law, besides affording an admirable machinery by which new settlements may be thrown off from the old stock. To provide, therefore, for an efficient ministry, which would follow and minister to the members of that church, as they spread over the distant portions of this continent, is a most important consideration. I think, therefore, you would confer an inestimable benefit upon South Africa if you could in your wisdom devise a system which would enable you to bring this about. Perhaps you might establish in some educational institution in the colony one or more well-endowed theological chairs, the professors for which should be chosen by the Synod of the Dutch Reformed Church.

If this were done, youths born in any part of South Africa might then be educated here for the ministry of that church; want of the means to defray the cost of giving a child a European education would then not prevent parents from striving to train up a talented and well-disposed son for the ministry. The Dutch Reformed Church would be enabled to avail itself of much of piety and talent which now runs to comparative waste, and the best and most virtuous of the youth of our race inhabiting the colony would have the satisfaction of knowing that, although their parents were comparatively poor, still it was now in their power to afford them an education which would enable them to follow those of their countrymen who were advancing further and further into the interior, and from the means of instruction, with the consolations of religion, the faith of their forefathers, and the elements of human learning. Any efforts that you may make to secure for those who were so recently your fellow-countrymen advantages which will so materially influence their future, cannot but gain for you their gratitude; and so improving and raising them must evidently produce many advantages for yourselves.

Such is the outline of the system for securing the future tranquillity and prosperity of the frontier, and of the countries beyond it, which I recommend for your consideration. The plan may seem large, but I believe that anything less would not accomplish the object sought for, and therefore would be simply so much thrown away. If the plan is extensive, so is the object to be accomplished. We have to put an end to wars, the cost of which is reckoned by millions; to prevent irruptions into our territories, which have become almost periodical; each of which impoverishes a colony and spreads an amount of private disaster and loss, the money value of which it would be very difficult to ascertain. The cost of all I recommend will, either to the mother country or the colony, be but trifling compared to two months of war; whilst the expenditure it involves is not immediate, but is spread over a space of several years. The amount disbursed will not be wasted, but will fructify for all time.

A subject which involves the expenditure of such large sums as are absorbed by wars in this country, upon which depends so great an amount of private wealth, on which hangs the safety of so many lives, and the future fate of a large portion of a great continent, is one regarding which the plain truth must be spoken. I do not pretend that I can undertake such large objects as are contemplated without sufficient means. I cannot venture to attempt to mislead such great interests with delusive hopes. I have, therefore, stated openly and without reserve the means that I think necessary for the purposes which are to be brought about; with those means I see my way clearly to a happy end, and will hold myself responsible for the result.

I now turn to the other portions of the colony. If the system which I have recommended for the settlement of the frontier is carried out, then the frontier will exhibit a life, a movement, and a trade to meet which corresponding preparations must be made in the other districts.

The form of government of the eastern districts will be the first question to occupy your attention. You will find, from the papers which will be laid before you, that this in a great measure will rest with yourselves. Her Majesty's Government have sanctioned the appointment of a Lieutenant-Governor for the colony of the Cape of Good Hope, to whom I was directed to delegate certain necessary powers. Although the plan under which the Lieutenant-Governor is to act, in subordination to the Governor, is not very perfectly arranged, I have done my utmost, in obedience to my instructions, so to carry it out, that it may work as well as possible for the public service. I think that arrangements have now been made which will meet your immediate wants; but they will certainly hereafter require revision.

In reference to this subject, I should remind you that a difficulty has long been experienced in regard to the inadequacy of the present judicial establishment of the Supreme Court to meet the wants of the entire colony, by carrying the advantages of the circuit system and of a prompt administration of justice into its remoter districts.

Two judges to be added to the Supreme Court, to facilitate cir-

It seems to have been admitted by all parties that, in order to bring the Circuit Court system into full operation some great changes were necessary. I have thought that these advantages could be most completely and conveniently secured, by adding two to the existing number of the judges of the Supreme Court, and by so distributing the

judges as to give to each end of the colony the advantages of a local court, and to facilitate the frequent and deliberate performance of circuit duty. CAPE OF GOOD HOPE.

I propose that the territorial limits of the respective jurisdictions of the Supreme Court, and of its branch court in the eastern province, should be left for after consideration. Perhaps you will agree with me in thinking that this subject may be best adjusted by the Governor, by proclamations to be issued from time to time, as the convenience of the inhabitants of various districts may appear to require. cuits in eastern districts.

I rely that Parliament will recognize the great importance of this subject; and looking to the great, direct, and perhaps, not less greater indirect, advantages of having justice openly and efficiently administered in every part of this extensive colony by the instrumentality of the circuit system, that they will be prepared to sanction the expense necessary to give effect to the proposed arrangements.

I should prefer seeing judges added to the Supreme Court rather than creating a new court; because, whilst the court it is proposed to open will have every advantage which a district court would possess, the proposed court, being composed of members of the Supreme Court, will naturally be kept so in connexion with it as to prevent the possibility of conflicting systems or decisions.

In addition to this general consideration, I think that by holding the Eastern Province Court before judges of the Supreme Court, the adaptation to the former Court of the existing rules and practice of the Supreme and Circuit Courts of the colony will be much facilitated.

I propose that the stated number of the judges of the Court of the eastern province should be two; that one of these, however, should in the absence of the other be competent to adjudicate; that in case of difference of opinion between the two judges, the decision of the senior should be the decision of the Court, and that a right of appeal should be reserved to the Supreme Court in Cape Town.

In subordination to these changes in the mode of administering the law, and yet closely connected with the same subject, is a measure for increasing the powers of the resident magistrates, which I shall have submitted for your consideration; and which will, I hope, secure, among other advantages, increased facilities for the settlement of questions connected with small debts, and thereby considerably facilitate commercial transactions in the remote parts of the colony.

I shall also submit for your consideration a measure which will for the future provide for the election of field cornets by the inhabitants of their respective districts. In notifying this to you, I request you to consider whether the present mode of paying field cornets for their services is a satisfactory one, and whether their efficiency might not be increased by remunerating them with a fixed salary. Field cornets.

In order that every facility may be given to the development of the increased trade which will, I hope, spring up under the measures proposed for your consideration, attention must be necessarily directed to the state of our harbours, and of our great lines of communication. Improvement of harbours.

It is impossible to consider the subject justly, without paying attention to the recent mineral discoveries in Namaqualand—discoveries which show that at least one portion of the colony possesses stores of mineral wealth in unusual abundance, which must, under a judicious system of management, attract much capital and a large population to the country.

You will find that all doubts regarding the nature of the coast of Namaqualand, and of the facilities which it may afford for the shipment of ores, are removed by a very able report from Captain Nolloth, commanding H.M.S. "Frolic." The colony is much indebted to Commodore Trotter for the promptitude with which he despatched one of Her Majesty's vessels to examine that coast, as also to Captain Nolloth, for the ability and zeal with which he executed the service entrusted to him, and for the clear and excellent report which he has furnished of the results of his examination. Namaqualand copper mines.

The nature and resources of the interior of that country and its apparently great mineral wealth, have also now been clearly ascertained by the Surveyor-General, Mr. Charles Bell, who completed the examination of it under circumstances of no ordinary difficulty, and who has embodied the results of his researches in a report drawn up with a knowledge and ability which is not only creditable to himself, but equally so to the public service of the colony of which he is a member, whilst it must undoubtedly prove of great utility to all those interested in this part of South Africa.

It will afford me much pleasure to unite with you in any measures which may facilitate the development of the mineral wealth of Namaqualand, and may render it more immediately available to the colony.

I intend to submit for your consideration a Bill amending the constitution of boards formed for the management of harbours, and adding to their powers. I think that this measure will tend much to promote the construction of harbour improvements, and will enable the Executive Government more readily and efficiently to aid in carrying out such works, and in their maintenance in a proper state of repair.

In reference to our internal lines of communication, I earnestly recommend you to inquire into the system upon which it would be most advisable that the public roads should be constructed and maintained in repair. You will probably also think it desirable still further to increase the means of transport in this country, by availing your- Roads and railways.

CAPE OF GOOD HOPE.

selves of the remarkable natural facilities which it, in many parts, offers for the construction of railways. In measures which would procure such vast advantages for the country you will find me prepared at all times most willingly to co-operate with you.

Steam communication with England.

I trust that before the Session closes, you will consider whether it may not be in your power to orignate some plan by which steam communication may be restored between this colony and Great Britain, and, if possible, between our colonial ports. The interruption which has taken place in the hitherto existing lines of steam communication is a great misfortune to the colony. The Government will gladly unite with you in any efforts to repair that misfortune.

Immigration.

If you think it advisable, referring to the system of immigration which I have recommended for the frontier and British Kaffraria to adopt measures for introducing an increased European population into other portions of the colony, I will gladly co-operate with you. Perhaps, however, you may think it advisable to wait for another year for this purpose, until peace having been more permanently restored, and the prosperity of the colony being more decidedly manifest, there would no longer be any probability of the persons introduced here abandoning it for another settlement.

Mr. Speaker and Gentlemen of the House of Assembly,

Annual estimates.

It is not my intention to submit any estimates of the public expenditure for your consideration during the present Session. A law regulating the appropriation of the revenues of the colony until the 31st December 1855 has been already passed by the Legislature. The practice hitherto pursued of submitting estimates of the proposed expenditure for your approval, at so long a period before that expenditure comes into operation, is open to such very grave objections that I propose it should for the future be abandoned. Instead, therefore, of submitting to the Legislature, as heretofore, in one year, estimates for an expenditure which is not to take place until the following year, I propose that the Legislature should henceforth pass estimates for the expenditure of the current year.

To bring this system into operation, I propose to submit to you a Bill to authorize the appropriation of the revenue on the scale of the estimates for 1855, until Parliament provides by law for the appropriation of the revenues of 1856.

In the Session of 1856 I propose to submit for your consideration estimates for the appropriation of the revenue for that year, carefully prepared with a view to the circumstances and requirements of the colony at that time, which, I think, it is impossible at this moment so accurately to foresee as to determine in what manner the revenues should be so spent in 1856 as to produce the greatest amount of advantage to the colony.

For any further expenditure required during the present year, which has not already been provided for, a supplementary estimate will be presented to you.

Increase of customs duties.

You are aware that the revenues at present collected in the colony are not sufficient to meet the expenditure which you have authorized the Executive Government to incur during 1855. A measure, prepared in conformity with the recommendations of your select committee, will therefore be laid before you, which provides for an increase of the duties of customs, which will give a considerable augmentation to the revenue.

It will, I think, be admitted, that it is more wise, in a country circumstanced as South Africa is, to look to indirect instead of to direct taxation for an increase of the revenue.

Experience has shown that in a country whose scanty population is spread over a vast extent of territory it is not possible to collect direct taxes, except at a cost which renders a tax, apparently light, in practice oppressive.

Moreover, in a country circumstanced as this colony, where you find barbarous or semi-barbarous tribes, either within or immediately beyond your borders, who, if they are not either influenced or controlled by the Government, become a source of constant danger to the country, it would be found extremely difficult to make such tribes defray, by direct taxation, the costs which their supervision entails upon the Government. By subjecting them, however, to indirect taxation, they will, without knowing it, and by a species of voluntary taxation, contribute largely to the charges which their government entails upon you; whilst in proportion as you raise them in the social scale, and induce them to use either the conveniences or embellishments of life, they will more largely contribute to your revenue, and enable you to take, in each succeeding year, more and more efficient means for their control and improvement.

Mr. President and Gentlemen of the Legislative Council,
Mr. Speaker and Gentlemen of the House of Assembly,

Subsidy to Orange River Free State.

I will cause to be laid before you a correspondence with Her Majesty's Government relating to a proposal from the President of the Orange River Free State, that an annual sum of 5,000*l.* should be paid from the revenues of this colony in aid of the expenses of the State Government, in consideration of the extent to which, it is alleged, the colonial revenue is increased by the passage through colonial ports of the trade of the Orange Free State.

Whatever you may determine upon, in reference to this application from the Free State, will probably form a precedent in other similar cases of territories lying contiguous to this colony. It will, I fear, be found difficult to ascertain what subsidy, if any, each of these territories may be entitled to, and it may be doubted if the decision at which

you may arrive upon a subject of this nature will ever be satisfactory to the claimants, or be such as to prevent differences arising between you and them. Perhaps a mode may hereafter be found of solving these difficulties, by leaving the decision of them to some body composed of representatives from all parties interested in those and similar questions.

It is evident that in many questions which might arise, involving the interests of different neighbouring territories, such a body, while it need interfere with the individual independence of none, would be the means of ensuring a hearty co-operation for the common good amongst them all.

In the meantime, I hope that, in the question now to be submitted to you, and in all other instances, you will evince such a spirit of liberality and goodwill towards the Free State as may tend to draw still closer those ties of friendship and common origin which ought ever to unite us to them.

Introduction of convicts. (Separate Despatch.)

I think it right to inform you, that, in compliance with the regulations of the colonial service, it has been my duty to transmit, for the purpose of being laid before the Queen, a memorial addressed to Her Majesty by persons interested in the welfare of British Kaffraria, praying for the introduction into that territory of emigrants from the workhouses, and of free-labour convicts, under judicious management.

In transmitting this memorial, I have recommended that the prayer of it should not be complied with, pointing out that the signers of it, having suffered under the misfortunes of insecurity of life and property, probably grasped eagerly at any plan that might hold out any hope of relief. When they signed it they were also ignorant of the measures I proposed, which, I feel confident, they would far rather see carried out than those they have prayed for.

I have further reported that other interests besides those of British Kaffraria had to be considered in reference to this question; especially those of the western, and of a great part of the eastern district; that it should be borne in mind that looking to the importance of these districts, there is no portion of the empire which has so slight a military force left for its protection; that from the infrequency of crimes of any magnitude in these districts, their inhabitants were burdened with but very slight charges for a police force; that they are in a great measure a quiet, retired set of farmers, living surrounded by their families, and all the comforts and happinesses of domestic life, upon their widely-scattered sheep and cattle farms; thus, actually realizing that tranquil and fortunate state of society, which all have been so anxious to see generally established in Australia; but that their peaceful and retired habits, now a source of so many blessings to themselves, rendered them peculiarly liable to suffer from convicts being brought into their vicinity, particularly as the country they inhabit affords facilities of no ordinary kinds for the congregation of bushrangers or escaped convicts; so that I feared that the introduction of convicts into a country of such a nature, and inhabited by such a population, would entail considerable additional charges upon Great Britain, for a military force for the protection of its inhabitants, heavy costs upon the colony for increased police and gaol establishments, and that, even after all these precautions had been taken, life and property might be so insecure, that a state of society, which it is now impossible to contemplate without pleasure, might be most materially disorganized, and changed for the worst.

I felt it to be my duty to state, at some length, my views upon this subject, because some persons whose opinions are in every way entitled to great respect, and who certainly were as anxious to promote the welfare of the colony as I am, have held different views upon this subject from those which I have expressed, although I think they did this from not being sufficiently informed regarding the present state of the colony.

Losses of colonists by horse sickness and lung sickness.

I cannot refrain from expressing my deep sympathy for the very serious losses which the inhabitants of this colony have recently sustained from the horse sickness, and lung sickness amongst the cattle, with which grievous calamities it has pleased Almighty God to visit this country. It is beyond my power to suggest any means for relieving the distresses which have sprung from those causes; but I can assure you that I have most deeply deplored the misfortunes which I have witnessed.

In conclusion, I thank you for your attendance to transact the business of this Session. I earnestly recommend the welfare of the colony to your careful consideration, and I pray you to remember that its destiny is no light one. It must influence, for good or evil, a great portion of this vast continent, which has for so many centuries remained shut out from the rest of the world, and which contains so many millions of human beings. The question whether this influence is to be for good or evil rests now, in a great measure, in your hands. I feel that I am also now a sharer in the responsibility. My hope is, that we may ever keep this fact before us, and that together we may so act as to merit the love and gratitude of those who are to follow us.

Enclosure 2 in No. 27.

Encl. 2 in No. 27.

May it please your Excellency, Legislative Council Chambers, March 1855.

We, the President and members of the Legislative Council of the Cape of Good Hope, having considered the communication which your Excellency has been pleased to make to Parliament, present to your Excellency our sincere thanks for the minute and

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luminous exposition of your views on the public affairs of the colony and the adjacent territories.

It is extremely gratifying to this council to know that your Excellency has found time, amidst many pressing demands upon your attention, contingent upon your recent assumption of the government of this country, to visit not only a large portion of the colony, but also of British Kaffraria, beyond its eastern border. The Legislative Council cannot be insensible to the fact that this tour, with the opportunities it afforded of holding personal communication with the various classes of the community which inhabit that important section of territory, has afforded your Excellency a surer means of judging of the wants of the inhabitants, of ascertaining the capabilities of the country, and of comprehending the political relations of the colony with the natives contiguous to it, than could have been obtained by any other means.

This council is gratified therefore in finding that your Excellency, after the most careful consideration, supported by great past experience, has arrived at the conclusion that the difficulties of our position in reference to the natives may be effectually counteracted and overcome by a system of policy, at once firm and benevolent, and which, while it enhances the prosperity and secures the safety of the colony, will at the same time raise the natives in the scale of civilization, and convert them from restless and dangerous enemies into good, useful, and industrious neighbours.

The Legislative Council duly appreciate the objects your Excellency has in view, and assures your Excellency of its cordial co-operation in every measure which may lead to their attainment.

The Legislative Council notices also, with great satisfaction, the references which you have been pleased to make to various important subjects of high concernment to the moral, social, and physical improvement of this dependency of the British realm; and it ventures to assure your Excellency that each and all of these subjects will receive its most careful and anxious consideration, and that no endeavour shall be wanting on its part to secure to the colony those blessings which it is persuaded must ever spring from the free administration of justice, the physical improvement of the country, and that moral elevation of all classes of society, which alone can give strength and stability to the constitution and public institutions of the colony.

The Legislative Council remark with mingled feelings of regret and gratitude upon that part of your Excellency's communication which alludes to the introduction of convicts into British Kaffraria. That such a proposal should have been made is a matter of equal sorrow and surprise to them, arising from a conviction of the irreparable evils which must necessarily spring from the admission into this colony, or territories adjacent, of the convicted criminals of the parent state. Viewing the proposition as fraught with the direst evils to British South Africa, the Legislative Council is grateful to your Excellency for the promptitude with which the subject has been met, and for the unequivocal and decided discouragement which has been given to a proposal so utterly subversive of the vital interests of the country, and so opposed to the wishes and expressed opinions of its inhabitants. This Council concurs most fully with your Excellency in the sentiments on this subject you have submitted to Her Majesty's Government, which they feel assured are so pregnant with importance as that they cannot fail to have their due weight upon the councils of the Queen.

In entering upon the duties of this Sessions, this Council reiterates its assurance of support to your Excellency in every well-devised scheme for the welfare and happiness of all classes of Her Majesty's subjects. The members of this council, while deeply sensible of the advantages they enjoy themselves as British subjects, are most anxious that the inestimable blessings of pure and righteous government should be extended to all classes of people in this country; that religious, moral, and industrial training should have full exercise; that the bonds of amity should be strengthened; and that one common effort should be made for the security and peace and welfare of the community at large.

Encl. 3 in No. 27.

Enclosure 3 in No. 27.

Mr. President and Gentlemen of the Legislative Council,

I thank you most sincerely for your promises of co-operation and support in all measures which may secure the safety of this colony, and elevate the natives in the scale of civilization. The cordial terms in which those promises are made are very gratifying to me.

I am much pleased to learn that it is your intention to bestow your most careful and anxious consideration upon the various important subjects connected with the moral, social, and physical improvement of this dependency of the Crown to which I requested your attention.

I will, without delay, transmit, for the purpose of being laid before the Queen, the statement of your belief that the admission of convicts into the colony or the adjacent territories would be fraught with irreparable evils.

You may rely that Her Majesty, who feels a deep interest in the welfare and happiness of all her subjects in this country, will most graciously receive any expressions of your wants or wishes which may be laid before the Throne.

No. 28.

Copy of a DESPATCH from Governor Sir George Grey to the Right Hon. Sir George Grey, Bart.

(No. 8.) Government House, Cape Town, April 3, 1855.

Sir, (Received July 4, 1855.)

I have the honour to enclose for your information the copy of a letter which I have received from the Chief Commissioner of British Kaffraria, enclosing another from the Commissioner to the Gaika tribes, from which you will learn, I think, with satisfaction, that the men of the most formidable of the Kaffir tribes are manifesting a great anxiety to be employed upon public works in the manner I propose.

2. All doubt, therefore, as to their willingness to adopt habits of industry may, I think, be regarded as set at rest. I feel, therefore, quite satisfied that but little difficulty will be now experienced in inducing them also to adopt other habits, which will rapidly change their social state, and convert them into useful inhabitants of a very fertile tract of country.

I have, &c.

The Right Hon. Sir George Grey, Bart. &c. &c. &c. (Signed) G. GREY, High Commissioner.

Enclosure 1, in No. 28. Encl. 1 in No. 28.

Sir, Fort Murray, March 26, 1855.

I have the honour to transmit the annexed copy of a letter from Mr. Brownlee, the Gaika Commissioner, reporting his having selected a piece of ground in extent about thirty acres, on the Kabusi River, close to Sandilli's kraal, which he states may be brought under irrigation at an expense of about 30*l.*

Mr. Brownlee also reports the capabilities of other portions of ground for irrigation and improvement; and as I am of opinion that no time ought to be lost in carrying out his Excellency's views for the welfare of the natives, I have directed Mr. Brownlee to commence the work as soon as tools can be procured, and I hope to receive an authority from his Excellency for drawing tools from the Ordnance.

I beg to submit that his Excellency may be pleased to grant a warrant for incurring the expense, in order that the same may appear in the public accounts.

I have, &c.

W. F. Liddle, Esq. (Signed) John Maclean, Chief Commissioner.

Enclosure 2 in No. 28. Encl. 2 in No. 28.

Sir, Dohne, March 24, 1855.

I went yesterday to Sandilli's kraal, on the Kabusi, to ascertain the capabilities of the ground for the construction of a watercourse for the chief.

Immediately below Sandilli's kraal is a piece of splendid soil, in extent about thirty acres, which may be brought under water at an expense of about 30*l.*

This piece of land, which lies along the bed of the Kabusi River, is terminated by a precipice rising abruptly from the water's edge, which would prevent the extension of the watercourse to a more extensive and better situated piece of ground, now cultivated by an influential man of Umhala's tribe. Though I did not take the level for this land, I think it may also be easily laid under water.

Sandilli expressed himself as very desirous that a watercourse should be made for him, and I promised to begin it as soon as the crop, which now covers the valley, should be off the ground.

Sandilli still intends retaining the gardens at his old kraal; and as I ascertained yesterday from his great wife that her crop had failed this season from the exhaustion of the soil, I promised her that I would in the season have a piece manured and ploughed for her; this will be a good opportunity of exemplifying to the natives the advantages of manure, and of our superior mode of cultivation.

When I left home yesterday morning it was my intention to have returned by the Qolongi, and to have taken some levels on that river, as it presents much greater facilities for irrigation than the Kabusi; but as I could not do this without being out at night, thus running every risk of losing my horses (the orderly being mounted on one of my own

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animals), I thought it best to defer taking any levels on this river till next week, when, if weather permits, I will again go out and report the result.

"Hoxo" and "Tebe," the widows of Tyali, live on the Qolongi, and at both their kraals I think large pieces of ground may be brought under water.

From the great slope of the soil at Sandilli's kraal, irrigation will be difficult; I will therefore have to furnish a man to take the management of the watercourse for the first season at least, for it will be of no avail to make these works for the people unles, we make provision for their proper management. This applies particularly to the cut to be made at Sandilli's kraal, the first part of which will be on the face of a steep hill, and will have to wind among large ironstone boulders.

The people generally know of his Excellency's proposed works. I have already had numerous applications for employment, and along the way yesterday Kafirs were inquiring when we would begin, as they were anxious to work. I trust that it will not now be long before I receive the authority to commence.

I have, &c.

Colonel Maclean,
Chief Commissioner.

(Signed) CHARLES BROWNLEE,
Gaika Commissioner.

Despatches from the Secretary of State.

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No. 1.

No. 1.

EXTRACT of a DESPATCH from the Duke of NEWCASTLE to Lieut.-General the Hon. G. CATHCART.

(No. 74.)

"Downing Street, June 14, 1853.

"I HAVE to acknowledge your Despatches of the numbers and dates specified in the margin, which, although written at different periods, reached me by the same opportunity.

No. 57, March 15, 1853.
No. 59, " " "
Page 9.
No. 60, " "
No. 2, April 14 "
Page 2.

They contain a summary of the condition of affairs on the whole eastern frontier of the Cape Colony, from the Orange River territory to British Kaffraria inclusive; and it has given Her Majesty's Government great satisfaction to perceive that your administration of the affairs of this country has been attended thus far with results so encouraging, and in particular that you have been able, by your proclamation of the 23d March last, to declare the abrogation of martial law in the districts of Graaf Reinet, Cradock, Somerset, Uitenhage, and Port Elizabeth; thereby shewing the confidence which you feel in the restoration of peace.

Your Despatches also contain the outlines of a series of measures, partly adopted and partly projected for the future government of the frontier, the principal of which (omitting your suggestions as to the Orange River territory as a separate subject) appear to be,—

(1.) The establishment in the Amatolas, and in the district called in your notice of March 8th the "Royal Reserve," of villages partly to be composed of colonists and partly of Fingoes, consisting of dwellings with small allotments of garden-ground.

(2.) The grant of farms, at quit rent, of moderate size, to bonâ fide occupants, in the now vacated territory north of the Amatolas, termed the Windvogel-berg, and also (as I collect) in portions of Victoria bordering on the Tambookie locations.

(3.) The establishment of small towns or villages at central points in this territory; one being already commenced at Queen's Town, and one, apparently, at Blinkwater.

(4.) The detachment of the country north of the Amatolas (Windvogel-berg) from British Kaffraria, and its annexation to the district of Victoria in the Cape Colony, to be followed by the division of Victoria when thus increased into two portions.

With regard to these measures I have generally to observe, that while they have every appearance of having been conceived with a just appreciation of the present requirements and future development of the eastern division of the Cape Colony, I do not consider that Her Majesty's Government have, as yet, sufficient information to pronounce definitively upon them, especially those which relate to intended changes of boundary; and it appears to me that a premature sanction of them might embarrass you in the event of your seeing any reason to modify them, especially after consultation with Sir George Clerk, who is now on his way to join you as Assistant Commissioner. Provisionally, and subject to any such changes, I wish you to consider yourself authorized to pursue the policy which you have thus commenced as to the establishment of villages and farms."

CAPE OF GOOD HOPE.

No. 2.

No. 2.

Copy of a DESPATCH from the Duke of Newcastle to Governor Sir George Cathcart.

(No. 138.)

Sir, Downing Street, October 13, 1853.

* Page 12.

I have to acknowledge your Despatch, No. 37,* of August 16 last, in which you strongly urge on Her Majesty's Government the sanction of two measures, namely, the establishment of a separate government in British Kafraria; and the detaching from that province certain districts situate north of the Amatola range, with their annexation to the Cape colony.

In my Despatch of the 13th ult., I informed you that my views as to retaining British Kafraria as a possession of the Crown have always coincided with your own. The only doubt which I have entertained has been, whether the time had as yet arrived for converting the provisional government of that district, which had been necessarily prolonged by the continuance of hostilities, into a more regular system. In full reliance on your judgment, Her Majesty's Government are now prepared to take the latter step. The Government established by the Letters Patent, now in abeyance, will be reconstituted; but for this purpose it will be necessary that they undergo some revision to suit the altered state of circumstances. When this has been completed, they will be transmitted to you; and I have much pleasure in acceding to your recommendation that Lieut.-Colonel Maclean, whose services have been so essential towards the re-establishment of order, should be appointed to the very important post of Lieut.-Governor of the district. In the meantime you are authorized to conduct the government according to the general policy embodied in those Letters Patent, and approved by yourself, while awaiting the more complete authority with which you will be furnished.

In the same Despatch of the 13th ult., I informed you that the confirmation of your project for altering the boundary of British Kafraria was necessarily withheld until I was furnished with a fuller statement of your ground for the change. I regard your present Despatch as conveying all the information of which I stood in need. I have therefore to convey to you the authority of Her Majesty's Government to carry into execution the necessary measures, as far as your power extends. I shall await the fuller report of the particular steps which you may take, and especially the exact topographical description of the new line of boundary, as it is to be introduced into legal instruments.

I have, &c.

Governor Sir G. Cathcart, &c. &c. &c.

(Signed) NEWCASTLE.

No. 3.

No. 3.

Copy of a DESPATCH from the Right Honourable Sir George Grey, Bart., to Lieut.-General the Hon. George Cathcart.

Sir, Downing Street, July 14, 1854.

* Page 32.

I have received your Despatch, No. 28,* of the 17th May, reporting the state in which you left Her Majesty's possessions in South Africa upon your relinquishment of the government, and transmitting copies of the several addresses presented to you on your departure from the colony.

I am much gratified in having to convey to you on this occasion an expression of the high sense entertained by Her Majesty's Government of your valuable services in South Africa, and of the zeal and ability which you have shown throughout your administration. Her Majesty Government entirely concur in the sentiments expressed by the colonists on this subject, and confidently hope that the results of your efforts may appear in the continued peace and prosperity of that portion of Her Majesty's dominions.

I shall direct Lieut.-Governor Darling to convey my thanks to Mr. Robinson, the Deputy Surveyor General, and to the unpaid Boards and Commissions

appointed by you for settling the lands in the frontier districts, for the satisfactory manner in which they are accomplishing their duties. CAPE OF GOOD HOPE.

I am, &c.
(Signed) G. GREY.

Lieut. General the Hon. Sir G. Cathcart,
&c. &c. &c.

No. 4.

No. 4.

EXTRACT from a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart. to Governor Sir GEORGE GREY, dated Downing Street, March 12, 1855.

(No. 12.)

"I RECEIVED on the 5th instant your Despatches noted in the margin. No. 5, Dec. 19, 1854. Page 36. No. 6, „ 21, 1854. No. 7, „ 22, 1854. No. 9, „ 25, 1854. No. 10, „ 30, 1854.

"Her Majesty's Government have learnt with great concern that circumstances had arisen to cause serious apprehensions of a renewal of hostilities on the eastern frontier of the colony, but they trust that the opinion which you express in the latest of your Despatches, that there appeared to be less danger of an immediate outbreak on the part of the Kafir tribes, and that there was a disposition on their part, at least, to delay till you had yourself arrived upon the frontier, will have proved to be well founded, and that in this event, the measures you would adopt, combined with the military preparations, taken in conjunction with the Lieutenant General, will have the effect of averting actual hostilities, and of maintaining the peace of the colony.

"With reference to the measures which in your Despatch No. 7, of the 22nd of December, you inform me you had in contemplation in order to secure this important object; I have to assure you of the cordial approval of Her Majesty's Government of the general plan which you desire to pursue, and they would rejoice to see the accomplishment of such a change as you anticipate in the relations subsisting between the colonists and the native tribes. As to the means by which you think this end might be gained, I can only at present say, that the experience which you have acquired in your past intercourse with native tribes who have been brought in contact with British colonists, and the salutary influence you have gained with them, entitles your opinion to the greatest weight, and that any proposal which, after full deliberation, and with the knowledge you will have acquired during your visit to the frontier, you may feel it your duty to make, will receive the immediate and careful consideration of Her Majesty's Government."

No. 5.

No. 5.

COPY of a DESPATCH from the Right Hon. Lord JOHN RUSSELL to Governor Sir GEORGE GREY.

(No. 11.)

SIR, Downing Street, May 15, 1855.

I HAVE received your Despatch, No. 17,* of the 27th January, forwarding copies of two letters from Colonel Maclean, Chief Commissioner in British Kaffraria, reporting the death of the chief Umkai. * Page 39.

The revelations made by Umkai on his deathbed prove still further the necessity of vigilance in watching the proceedings of Kaffirs and Fingoes; for the scheme of hostility, though baffled for a time, will be revived, if any remissness is shown on our part.

I confide entirely in your prudence and foresight to defeat the plans of the disaffected.

I am, &c.
(Signed) J. RUSSELL.

Governor Sir G. Grey,
&c. &c. &c.

CAPE OF GOOD HOPE

No. 6.

No. 6.

Copy of a DESPATCH from the Right Hon. Lord John Russell to Lieutenant-General the Hon. G. Cathcart.

(No. 217.)

Sir, Downing Street, May 19, 1854.

* Page 27. I have received your Despatch, *No. 14, of the 14th February, transmitting a copy of a letter which you have addressed to the Chief Commissioner of British Kaffraria, explaining the policy which is to be pursued in the settlement of that province, and especially with reference to that portion of it which is known as the Royal Reserve; and I have to express to you my concurrence in the principles laid down in your letter to Colonel Maclean.

I have &c.

Lieut. General the Hon. G. Cathcart. (Signed) J. RUSSELL.
&c. &c. &c.

No. 7.

No. 7.

Copy of a DESPATCH from the Right Hon. Lord John Russell to Governor Sir George Grey.

(No. 20.)

Sir, Downing Street, May 26, 1855.

* Page 41. I have to acknowledge your Despatch of the 29th January last*, forwarding the final report of Mr. Calderwood, the Commissioner appointed to inquire into the present state of the Fingoe locations.

I have perused with much satisfaction that valuable document, which appears to have been prepared with much care and ability. Relying, as I am disposed to do, on the judgment of Mr. Calderwood, I derive a more favourable impression of the present condition and future prospects of the Fingoe population than you appear to have done at the date of writing your Despatch, although I fully approve of the conclusion which you have drawn that further efforts are required for the advancement of that people, and I shall be prepared to sanction such well-matured plans as you may devise for effecting that object.

In regard to the impression which appears to have prevailed amongst the European settlers, that negotiations were recently pending for an alliance between the chiefs of the Fingoe and Kaffir races, with an intent hostile to the Cape colonists, I find with much satisfaction that Mr. Calderwood, on careful inquiry, not merely failed to obtain evidence to confirm that impression, but moreover states many circumstances which go to negative the specific assertions on which that impression was founded.

Although it is highly important that those who are charged with the superintendence of the frontier districts should maintain a constant watchfulness over the movements of tribes not yet formed to habits of civilization and attachment to British rule, it is no less desirable that unfounded suspicion on the part of the European population should be steadily discouraged. You will, therefore, impress upon the Government officers acting in the frontier districts that when rumours of an unfavourable character are communicated to them, or suspicious circumstances come to their knowledge, it will be their duty to make immediate inquiry into the grounds of suspicion, relying as little as possible upon hearsay evidence, but that such inquiry should be conducted with the utmost circumspection; and that unless positive evidence be obtained of a nature to require immediate measures of precaution, it will be their duty constantly to instil mutual confidence between the European and native population, and to discountenance feelings of mistrust which too readily lead to those very acts of an unfriendly character, which but before existed only in surmise. These instructions appear the more necessary, as although a state of alarm and suspicion has recently existed which brought the frontier white population to the verge of collision with the natives, I observe with pleasure that Mr. Calderwood reports as follows:—

"With reference to representations of alleged information" (as to an intended outbreak) "having been given by individual Caffres and Fingoes, I have

"carefully endeavoured to trace any such rumour that has been brought to my "notice, but have found that, in every case, they originated in a mistake, or, "what I am unwilling to believe, gross and intentional misrepresentation;" and he goes on in the subsequent paragraph to state:—

"I have now, besides my ordinary means of information, spent nearly two "months entirely amongst the Fingoes—visited all the locations, excepting "Kamastone;—met and conversed, both publicly and privately, in many cases "confidentially, with very many hundreds of the people,—and not a single "circumstance has come under my notice to create even suspicion. I had two "intelligent coloured men with me, who mingled freely with chiefs and people "in private conversation, and they fully concur with me that the great mass "of the Fingoe people are, at present, entirely with us.

"Nothing could exceed the excellent and friendly feeling manifested "wherever I went, with one exception, to which I shall afterwards allude. It "may be said this was merely deception; but considering the time I have "been amongst them, the numbers met and conversed with,—the free inter-"course I held with them,—the many cases in which I had to state unwelcome "truths to them,—I can scarcely think it possible that I should not have "discovered some little indication of disloyalty had it existed to any great "extent."

The interesting conversations cited in the subsequent portions of Mr. Caldwood's report seem fully to confirm the conclusion to be derived from the passages above quoted, that so far as the Fingoes were concerned, the recent alarm on the frontier districts was greatly exaggerated, if not altogether unfounded.

With respect to the alleged grievances affecting some portion of the Fingoe population, the most important, no doubt, are those arising from the over-crowded state of some of their locations, and I hope to receive before long a statement of the plans which you propose for remedying this evil.

I am disposed to approve of the decision of Mr. Calderwood, to refuse payment of hut tax from those Fingoes who appeared to be in excess of the number that could properly be maintained on certain locations; as I apprehend that the receipt of the tax is considered as an acknowledgment on the part of the Government of the right of the taxpayer to occupy the position where his hut is built, and that great caution will be required in attempting to remove those who have paid the tax, even when that measure may be essential for their own welfare.

I observe with satisfaction, that Mr. Calderwood has made arrangements for a due allowance to certain natives on account of hut tax overpaid for the year 1854. There is no principle more essential to securing influence over the minds of uncivilized races than the unvarying observance of scrupulous good faith, and I am well assured that you will make that principle a constant guide in your proceedings towards the native, as well as the European population placed under your administration. The natives naturally expect from their rulers that cunning which they exercise towards each other; simple honesty and justice on the part of their governors, therefore, improves and subdues them; such moral victories lay the foundation of lasting peace and good-will.

You will, no doubt, consider whether any arrangement can be effected, by which the complaint of the chief Sobekwa, on the Ox Kraal, referred to by Mr. Calderwood, may be remedied; as this is a case in which there is some apparent ground for an appeal on his part to the good faith of the constituted authorities.

I have not materials for forming a judgment as to the subject of pound fees, which may admit of alteration with a view to relieve any hardship affecting the natives, preserving however adequate protection for the European settlers; neither shall I give any final opinion with respect to the pass system, in regard to which Mr. Calderwood expresses doubts, which appear at first sight reasonable. I feel assured that these important matters will receive your careful attention.

As a general rule, I am indisposed to the maintenance of any system of restrictions on the liberty of action which these people would have enjoyed in the absence of British rule, unless such restrictions be either plainly required for the prevention of crime, or the natives can be made to feel that there accrues therefrom a corresponding amount of benefit to themselves.

CAPE OF GOOD HOPE.

I have not thought it necessary to notice some questions of a local character, stated in Mr. Calderwood's report, having full confidence in your discretion and ability to deal with them in a manner befitting the justice and humanity which should characterize the acts of British administration.

I have, &c.
(Signed) J. RUSSELL.

Governor Sir George Grey,
&c. &c. &c.

No. 8.

No. 8.

Copy of a DESPATCH from the Right Hon. Lord John Russell to Governor Sir George Grey.

(No. 23.)

Sir, Downing Street, April 28, 1855.

* Page 52.

I have received your Despatch, No. 31*, of the 14th of February, furnishing an account of an interview which you had held with the principal Gaika chiefs, at the Dohne Post, in British Kaffraria.

I have to signify to you my approval of the judicious steps which you took, upon your arrival on the frontier, to afford the chiefs an opportunity of meeting you if they wished to do so; and it has been very satisfactory to observe the confidence which they showed, in assembling unarmed, at a military post, in the face of an armed British force, and to learn that the interview was concluded in so friendly a manner on their part.

I have, &c.
(Signed) J. RUSSELL.

Governor Sir George Grey.
&c. &c. &c.

No. 9.

No. 9.

Copy of a DESPATCH from the Right Hon. Lord John Russell to Governor Sir George Grey.

(No. 23.)

Sir, Downing Street, June 3, 1855.

* Page 55.

I have read with great interest the speech* which you delivered to the Cape Parliament on the 15th March.

2. The importance of the subjects there treated, the ability with which you have treated them, and the certainty that these topics must occupy your attention and that of the Legislature for a very long time to come, induce me to state to you fully the views of Her Majesty's Government upon the policy to be pursued in that portion of South Africa placed under your direction.

3. Let me, in the first place, declare explicitly that it is for no object of dominion or extension of territory that Great Britain wishes to maintain possession of British Kaffraria. So far as the interests of this empire are concerned, British Kaffraria might be abandoned and the eastern districts of the Cape colony left unprotected, without injury to the power of the United Kingdom, and with a considerable saving to its finances. But such considerations have not been allowed to prevail. The performance of an honourable duty to British colonists, the maintenance of a position acquired at great cost both of men and money, and, lastly, views of comprehensive and vigilant humanity induce Her Majesty's Government to take a very different course. Her Majesty, impelled by these high motives, approves therefore of the general line of policy which you propose to adopt.

4. It is my duty, however, to point out to you the serious obstacles which may prevent your deriving the immediate benefit you expect from the measures you have devised.

5. At the root of these obstacles lies the difficulty of supplying British Kaffraria with a sufficient European population to vanquish in arms and conquer by civilization the native tribes. On the frontier of the United States of America bordering on Mexico Indian races disturb and plunder the settlers. But the great flood of American population in no long time inundates and fertilizes the land.

6. On the frontiers of Austria the restless marauding borderers are kept in check by military colonies. But these colonies consist of husbandmen exercised as soldiers, and not of soldiers turned into husbandmen.

7. The Russian military colonies are organized with great skill, but the immense armies of Russia readily supply fresh materials for these colonies.

8. I fear that in British Kaffraria you will find it difficult either to stock the country with emigrants, or to procure from our limited body of pensioners a sufficient number of men fulfilling your conditions, and willing to embrace the prospects you hold out to them. Still, what is difficult is not impossible, and I will do all in my power to forward your design.

9. Could you by the other means which you propose, of employment on public works, of establishments for education, of hospitals for the benefit of the natives, and other subsidiary means, obtain an enduring influence over the African tribes, I should hope that the measure of sending pensioners from this country might succeed as well in Kaffraria as in New Zealand.

10. I must frankly tell you, however, that perseverance in these measures must depend on the willingness of the Colonial Legislature to assist and promote your views. We cannot undertake to help the Cape colony unless the Cape colony is ready to take its proper share in the task.

11. You will understand, therefore, that the grant of 40,000*l.* now assented to, and the measure of sending pensioners to the eastern districts of the colony, are adopted in the hope that the Colonial Legislature will concur in your enlightened views, and assist them in the most liberal manner.

12. The alternative we have before us is one of vital importance.

13. If we succeed, we secure the colony of the Cape from invasion, we civilize savage tribes, we open a vast territory to the influence of Christianity, we give an example of an African nation adopting the peaceful habits and social improvements of an European community.

14. If we fail, the parliament of the United Kingdom will give up its work in despair; border wars will be perpetuated, and the Cape colony, even with the assistance of Her Majesty's troops, will find it difficult to bear the cost and repel the danger of repeated incursions of savage tribes.

15. I will now refer shortly to various topics touched upon in your speech.

16. I trust that your recommendations on the subject of an increase of mounted police, and the provision for a burgher force, may be adopted.

17. The employment of the Fingoe militia on public works is a very advisable measure. With respect to these irregular forces, I trust you will take great care to preserve discipline. A disorganized irregular force is a blunt weapon in the hands of Government, and a sharp sword against peaceable inhabitants.

18. Her Majesty's Government approve of your suggestion, that the sums voted in the colony for aboriginal purposes should be spent within the colony for the improvement of native races. It will be very desirable that you should endeavour to gain the confidence of the Hottentot tribes, to learn what complaints they have to make, to remove false impressions made by enemies to British rule, and study the welfare and comfort of these subjects of Her Majesty. The increase you propose in the number of ministers of the Dutch reformed religion may be made very conducive to this object.

19. Generally you will foster and protect all ministers of religion whose influence is used to inculcate charity and peace, who teach their flocks to fear God and honour the Queen. I will not enter into the questions you propound with regard to the increase of the number of judges, the improvement of harbours, the development of the mineral wealth of Namaqualand, and other local measures. The Cape colony having now a representative legislature will, I trust, concur in your views, and devise such measures as may be most conducive to the welfare of their constituents. In free discussion, in the encouragement of all beneficial projects, and the advancement of able and honest men, the colony will find the elements of its future prosperity, and Her Majesty will derive from the same sources the satisfaction of having extended the domain of freedom and the boundaries of Christian civilization.

I have, &c.

(Signed) JOHN RUSSELL.

Governor Sir George Grey,
&c. &c. &c.

LONDON:
Printed by George E. Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationary Office.

NEW SOUTH WALES.

COPY of an ORDER of HER MAJESTY IN COUNCIL, dated 8th February 1855, for LEASING CROWN LANDS in the Colony of *New South Wales*, supposed to contain MINERALS not AURIFEROUS.

And, COPY of an ORDER of HER MAJESTY IN COUNCIL, dated 8th February 1855, declaring certain LANDS to be within the SETTLED DISTRICT of *New South Wales*, &c.

Colonial Office,
1 March 1855.

G. GREY.

COPY of an ORDER of HER MAJESTY in COUNCIL, dated 8th February 1855, for LEASING CROWN LANDS in the Colony of *New South Wales*, supposed to contain MINERALS not AURIFEROUS.

AT the Court at Windsor, the 8th February 1855;

PRESENT:

The Queen's Most Excellent Majesty,

His Royal Highness Prince Albert,

Lord Chancellor, Lord President, Duke of Wellington, Marquis of Lansdowne, Marquis of Abercorn, Lord Steward, Viscount Palmerston, Viscount Canning, Lord Panmure, Mr. Herbert, Sir George Grey, Bart., Mr. Chancellor of the Exchequer, Sir Charles Wood, Bart.

WHEREAS by an Act passed in the Session of Parliament held in the ninth and tenth years of Her Majesty's reign, intituled, "An Act to amend an Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies, and to make further provision for the management thereof," after reciting that it might be expedient that various rules and regulations should be made respecting the more effectually making Demises or Licenses for any term of years not exceeding 14, of any such Waste Lands as therein mentioned, and respecting the reservation on such Demises or Licenses of any such rents or other pecuniary services, and respecting the insertion therein of such conditions and clauses of forfeiture as are therein mentioned, and respecting any other matters and things which might be requisite either for carrying into more complete effect the occupation in manner therein mentioned, of such Waste Lands as aforesaid, or for preventing the abuses incident thereto, it was enacted, that it should be lawful for Her Majesty by any Order in Council to make and establish all such rules and regulations as to Her Majesty should seem meet for the purposes aforesaid, or for any of them, and any such rules and regulations again to repeal, renew, alter, and amend, and that all such Orders in Council should have the force and effect of law in the colonies aforesaid:

And whereas in pursuance of the said Act of Parliament certain rules and regulations have already been made with regard to the colony of New South Wales for the above purposes:

And

And whereas it is expedient that additional rules and regulations, as hereinafter contained, shall now be made and established for demising lands supposed to contain minerals not auriferous, and for working the same; It is hereby ordered, by The Queen's Most Excellent Majesty, by and with the advice of Her Privy Council, that within the said colony of New South Wales it shall be lawful for the Governor of the said colony to demise lands supposed to contain minerals not auriferous to any party or parties desirous of working the same, on the following conditions:—

1. The extent of land so to be granted shall be fixed from time to time by the Governor, with the advice of his Council.

2. The term of the lease shall be for a term not exceeding fourteen years, at a rental to be fixed by the Governor, with the advice of the Executive Council, but not less than ten shillings per acre per annum, payable yearly in advance. The lessee, on payment of such rent in advance, being entitled to the right of search during the first year, and to the option of giving up the lease. The lease to date from the commencement of the second year.

3. Any person claiming a lease on the above conditions, who shall remove or cause to be removed any ore from the land before a lease thereof shall be accepted by him, shall forfeit his claim thereto.

4. At the termination of the lease the land shall be open to sale by public auction to the highest bidder.

5. Should the land not be purchased by the lessee, the value (to be estimated) of any improvements he may have made, or buildings he may have erected thereon, will be added to the upset price of the land, and he will be allowed compensation for the same, if sold.

6. The lease to become void and forfeited if the rent is not duly paid in advance, and if the land is not *bonâ fide* applied to mining purposes.

And the Right Honourable Sidney Herbert, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *Wm. L. Bathurst.*

COPY of an Order of Her Majesty in Council, dated 8th February 1855, declaring certain Lands to be within the Settled District of *New South Wales*, &c.

At the Court at Windsor, the 8th day of February 1855;

Present:

The Queen's Most Excellent Majesty,

His Royal Highness Prince Albert,

Lord Chancellor, Lord President, Duke of Wellington, Marquis of Lansdowne, Marquis of Abercorn, Lord Steward, Viscount Palmerston, Viscount Canning, Lord Panmure, Mr. Herbert, Sir George Grey, Bart., Mr. Chancellor of the Exchequer, Sir Charles Wood, Bart.

WHEREAS by an Act passed in the Session of Parliament holden in the ninth and tenth years of the reign of Her present Majesty, intituled, "An Act to amend an Act for regulating the sale of Waste Land belonging to the Crown in the Australian Colonies, and to make further provision for the management thereof,"

thereof," after reciting that it might be expedient that various rules and regulations should be made respecting the division of the said colonies into districts, within which alone the Demises or Licenses mentioned in the said Act might be made to take effect, it was enacted, that it should be lawful for Her Majesty, by an Order or Orders in Council, to make and establish all and any such rules and regulations as aforesaid as to Her Majesty may seem meet, and any such rules and regulations again to repeal, renew, alter, and amend, and that all such Orders in Council should have the force and effect of law in the said Australian Colonies:

And whereas by an Order in Council, dated the 9th of March 1847, made in pursuance of the powers of the said Act, it was ordered that the Lands in the colony of New South Wales should for the purposes of the said Order be considered as divided into three classes, and be dealt with accordingly as they might be situated in districts, to be denominated respectively as the Settled, the Intermediate, and the Unsettled Districts, and it was ordered that the Settled Districts should comprehend certain Lands therein mentioned:

And whereas it is expedient to include within the said Settled and Intermediate Districts certain Lands hereinafter mentioned, not already included within the same:

It is therefore hereby ordered by the Queen's Most Excellent Majesty, by and with the advice of Her Privy Council, that from and after the proclamation of this Order in the said colony, and the lapse of six months next after this Order shall have been laid before Parliament, the said Settled Districts shall comprehend, in addition to the Lands already comprehended therein, the counties or reputed counties of Clinton, Deas Thomson, and Livingstone; and it is hereby further ordered, that from and after the time aforesaid, the said Intermediate Districts shall comprehend, in addition to the lands already comprehended therein, the counties of Palmerston, Leibig, Raglan, Pelham, and Flinders, except so much of the counties of Leibig, Palmerston, and Flinders, as lies within the distance of three miles, measured in a straight line from the sea, which, by operation of the aforesaid Order of the 9th of March 1847, is already comprehended within the Settled District.

And the Right Honourable Sidney Herbert, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *Wm. L. Bathurst.*

NEW SOUTH WALES.

COPY of ORDER of HER MAJESTY IN COUNCIL, dated 8th February 1855, for LEASING CROWN LANDS in the Colony of *New South Wales*, supposed to contain MINERALS not AURIFEROUS; and of ORDER of HER MAJESTY IN COUNCIL, dated 8th February 1855, declaring certain LANDS to be within the SETTLED DISTRICT of *New South Wales*, &c.

(Presented pursuant to Act 9 & 10 Vict. c. 104, s. 6.)

Ordered, by The House of Commons, *to be Printed,*
27 *March* 1855.

145.

Under 1 *oz.*

NEW SOUTH WALES.

RETURN to an Order of the Honourable The House of Commons, dated 25 May 1855;—*for*,

COPIES "of all PETITIONS on the Subject of the proposed CONSTITUTION for *New South Wales*, presented to this House since the Year 1853, with the Number of SIGNATURES attached to each PETITION."

House of Commons, 4 June 1855.

JAMES B. BULL.

COPIES of all PETITIONS on the Subject of the proposed CONSTITUTION for *New South Wales*, presented to the House since the Year 1853, with the Number of SIGNATURES attached to each PETITION.

(Presented by Mr. *Lowe*.)

The humble Petition of the undersigned Colonists of *New South Wales*,

Sheweth,

THAT your petitioners desire to see established in this country a constitution and form of government framed in accordance with the genius and spirit of the constitution of their mother country, which your petitioners believe to be the views entertained by Her Majesty's present Advisers. New South Wales.

That in particular your petitioners desire a Legislature composed of two houses, both based upon popular suffrage, and founded upon a just and equitable apportionment of the representation to the numbers, intelligence, and property of the community, and of all classes and interests within it.

That a Bill has been introduced into the Legislative Council for the establishment of a constitution for this colony which is wholly opposed to the wishes and interests of your petitioners, and to all sound principles of British liberty.

That the present Legislative Council does not, and cannot as now constituted, represent the voice of the people of New South Wales, and that it is therefore incompetent to frame a constitution which will be satisfactory to the people of this important section of the British empire.

That your petitioners rely with perfect confidence in this matter on the enlightened sentiments which sway Her Majesty's councils, and in the wisdom and justice of the Imperial Parliament.

Your petitioners therefore pray that your honourable House will withhold your assent to any measure which shall fail to embody the views and wishes of your petitioners as herein expressed, and that your honourable House will be pleased to have regard to them in any measure which may be laid before the Imperial Parliament.

(3,792 Signatures.)

(Presented by Mr. *Lowe*.)

The humble Petition of the undersigned Inhabitants of *Maitland* and the Neighbourhood, in the Colony of *New South Wales*,

Respectfully sheweth,

Maitland.

THAT the local legislature has recently passed an Act to confer a constitution on this colony.

That this Act, while providing in some important respects for desirable amendments in the present constitution of the colony, contains some provisions which to your petitioners appear to be highly objectionable.

That the clause providing for nomination by the Crown of the Upper House of Legislature is one of these objectionable provisions. That your petitioners believe that a house so constituted will not obtain the confidence of the community, and that, wanting that confidence, a house of nominees will not possess the weight and independence necessary to secure for them a distinct and conservative influence on the legislation of the country. That your petitioners are of opinion that an Upper House composed of members of mature age, elected for longer periods than five years, from larger electorates than those returning members to the Lower House, and by a constituency representing more especially the property, the intelligence, and the permanent residents of the colony, will more effectually and beneficially answer all the useful ends for which a second chamber is designed, than a house of Crown nominees. Your petitioners are confirmed in the correctness of their views on this point, by a comparison of the working of the elective and nominee principles under the present constitution of the colony.

That your petitioners strongly object to the provision in the 17th clause of the Act, requiring a majority of two-thirds of the House of Assembly to legalise any changes in the system of representation established by that Act; and still more to the corresponding provision in the 42d clause, requiring a majority of two-thirds of both houses to alter the constitution of the legislative council. Your petitioners respectully submit, in the first place, that these provisions are contrary to the usage of the British Parliament, which the experience of centuries has shown to be a safe and beneficial one; in the second place, that it is unreasonable and unjust to give the minority on constitutional questions a power which on all other questions is exercised by the majority; and in the third place, that this endeavour to unduly check, in a young and rapidly growing country, whose condition and circumstances will be frequently changing, the alterations which from time to time must become needful in the constitution, will be more likely to endanger than to conserve the institutions of the colony; for which* impolitic obstructions are placed in the way of necessary amendments, an incentive is thereby created to overturn and destroy.

* *Sic* in orig.

That your petitioners are not satisfied with the apportionment of the representation under the Constitution Act; that in that apportionment there is obvious injustice done to some of the more populous electoral districts, and an undue proportion of representatives allotted to some of the more thinly-peopled districts.

That as regards the Civil List secured to Her Majesty by the Constitution Act, your petitioners submit that some of the services therein provided for, might be better dealt with by special appropriation Acts, subject to revision from time to time. They beg also to point out, that the pensions assigned to the officers of the Government who may be displaced by the introduction of responsible government, are larger than the circumstances of the case justify, or than the colonists can be fairly called upon to pay.

That your petitioners venture to express their belief, that if the provisions in the Constitution Act which are herein pointed out as objectionable, be amended in accordance with the views of your petitioners, the constitution for the colony will be rendered more accordant with the character and spirit of the institutions of the mother country, more acceptable to the great body of the colonists, and better calculated to secure their political rights and promote their welfare.

That your Petitioners therefore humbly and earnestly pray that your Honourable House, when called upon to pass the Act of Parliament to give force and

and effect to the New South Wales Constitution Act, will adopt such measures as to your wisdom may seem meet for making the Upper House created under that Act elective; for causing all constitutional as well as other questions to be decided by simple majorities in both houses; for rendering the distribution of the representation more accordant with the just claims of the respective electoral districts; and for diminishing the amounts permanently appropriated by the Civil List. Maitland.

And your petitioners, as in duty bound, will ever pray.

(748 Signatures.)

(Presented by Mr. *Lowe*.)

The humble Petition of the undersigned Inhabitants of *Scone* and *Murrurrundi* and the Neighbourhood, in the Colony of *New South Wales*, in Public Meetings assembled,

Respectfully sheweth,

THAT the local legislature has recently passed an Act to confer a constitution on this colony; that this Act, while providing in some important respects for desirable amendments in the present constitution of the colony, contains some provisions which, to your petitioners, appear to be highly objectionable, and omits others which appear to them to be highly desirable. Scone and Murrurrundi.

That your petitioners are desirous that in any Act for a new constitution for this colony provision should be made that in the event of both houses of the Colonial Parliament at any time addressing Her Majesty for the removal of the Governor, that officer shall dissolve the Parliament, and should the newly elected Parliament in its first session adopt a similar address, the Governor shall be removed.

That the provision for nomination by the Crown of the Upper House of Legislature is objectionable. That your petitioners believe that a house so constituted will not obtain the confidence of the community, and that, wanting that confidence, a house of nominees will not possess the weight and independence necessary to secure for them a distinct and conservative influence on the legislation of the country. That your petitioners are of opinion that an Upper House, composed of members of mature age, and elected for seven years from larger electorates than those returning members to the Lower House, will more effectually and beneficially answer all the useful ends for which a second chamber is designed than a house of Crown nominees.

That your petitioners strongly object to the provision of the 17th clause of the Act, requiring a majority of two-thirds of the House of Assembly to legalise any changes in the system of representation established by that Act; and still more to the corresponding provision in the 42d clause, requiring a majority of two-thirds of both houses to alter the constitution of the Legislative Council. Your petitioners respectfully submit, in the first place, that these provisions are contrary to the usage of the British Parliament, which the experience of centuries has shown to be a safe and beneficial one; in the second place, that it is unreasonable and unjust to give to the minority, on constitutional questions, a power which, on all other questions, is exercised by the majority; and, in the third place, that this endeavour to unduly check in a young and rapidly growing country, whose condition and circumstances will be frequently changing, the alterations which, from time to time, must become needful in the constitution, will be more likely to endanger than to conserve the institutions of the colony: where impolitic obstructions are placed in the way of necessary amendments, an incentive is thereby created to overturn and destroy.

That your petitioners are not satisfied with the apportionment of the representation under the Constitution Act; that in that apportionment there is obvious injustice done to some of the more populous electoral districts, and an undue proportion of representatives allotted to some of the more thinly-peopled districts.

That your petitioners are anxious that in any Act for a new constitution for this colony provision should be made for the extension of the franchise, at least so as to admit within its limits 5 *l.* householders, and that the protection of the ballot should be conceded to all voters.

Scone and Murrurrundi.

That as regards the Civil List secured to Her Majesty by the Constitution Act, your petitioners submit that some of the services therein provided for might be better dealt with by special appropriation Acts, subject to revision from time to time, and that the grant for the service of public worship contained in Schedule (C) of that list ought never to have been provided for by law. They beg also to point out that the pensions assigned to the officers of the Government who may be displaced by the introduction of responsible government are larger than the circumstances of the case justify, or than the colonists can be fairly called upon to pay.

That your petitioners are not only strongly opposed to some of the provisions contained in the 67th clause of the said Act, seeing that thereby the hold of the public lands of the colony which the Crown leaseholders and other occupants of those lands have obtained is greatly strengthened, but they hopefully trust that in any alteration in the laws for the administration of those lands provision will be made for throwing the same open for public sale in all parts of the colony, by regulations similar in their tendency to the land laws of the United States of America. And your petitioners respectfully take the liberty of submitting that, by the Act of Parliament passed in the 9th and 10th years of Her Majesty's reign, intituled, "An Act to amend an Act for regulating the Sale of Waste Lands in the Australian Colonies, and to make further Provision for the Management thereof," the Queen is empowered "by 'Orders in Council' to make rules and regulations, again to repeal, renew, alter, and amend, and all such Orders in Council shall have the force and effect of law in the colonies aforesaid." And further, that the Queen did so make Orders in Council, and that by the ninth section and second chapter thereof the Governor or officer administering the government of the colony is vested with power to submit the said waste lands, or any of them, to public sale; and, looking upon the question of the administration of Crown lands as an all-important one, your petitioners do not hesitate to assure your Honourable House that the monopoly of the said lands by a few individuals—fostered as it is by the local government—is the source of more dissatisfaction throughout this colony than all the other grievances which the colonists labour under put together.

That your petitioners venture to express their belief that, if the alterations in the Constitution Act, which are here pointed out, be made, the constitution for the colony will be rendered more accordant with the character and spirit of the institutions of the mother country, more acceptable to the great body of the colonists, and better calculated to secure their political rights and promote their welfare.

That your petitioners therefore humbly and earnestly pray that your Honourable House, when called upon to pass the Act of Parliament to give force and effect to the New South Wales Constitution Act, will adopt such measures as to your wisdom may seem meet for providing for the removal of the Governor upon an address to the Queen for that purpose being adopted in two succeeding Sessions of Parliament to be created under that Act, a general election occurring between such Sessions; for making the Upper House created under that Act elective; for causing all constitutional as well as other questions to be decided by simple majorities in both houses; for rendering the distribution of the representation more accordant with the just claims of the respective electoral districts; for extending the franchise; for conceding the protection of the ballot to all voters; for diminishing the amount permanently appropriated by the Civil List; for withdrawing the provision for public worship contained in Schedule (C) of that list; and for facilitating the sale of Crown lands.

And your petitioners, as in duty bound, will ever pray, &c.

(156 Signatures.)

The

(Presented by Mr. *Lowe.*)

The Petition of the undersigned Inhabitants of the City of *Sydney*, in the Colony of *New South Wales*,

Sheweth,

THAT in the year 1850 the Imperial Parliament passed an Act for the better government of the Australian colonies. Sydney.

That as this Act extended the elective franchise from a 20 *l.* to a 10 *l.* rate, and empowered the Colonial Legislature to apportion the future representation agreeably to the principles of the British constitution, it would have conferred a great benefit upon your petitioners and the other colonists of New South Wales if it had only been carried out fairly and equitably, agreeably to the evident intentions of the Imperial Parliament.

That, from the unconstitutional character of the local legislature of the period, and the predominance of the pastoral interest in its councils, an electoral Act was passed by the Legislative Council of this colony, in the year 1851, under the alleged authority of the Imperial Act, which not only completely frustrated the beneficent intentions of that Act, and deprived the colonists of the benefits of good government which it was meant to insure them, but was entirely at variance with the acknowledged principles of the British constitution, and wantonly trampled upon the political rights of the principal portion of the population.

That by this Act the county of Cumberland—the earliest settled, most densely peopled, and wealthiest portion of the colony, containing as it does the city of Sydney and the towns of Parramatta and Windsor, and comprising four-ninths of the entire population—was divided into five electoral districts, which return only eight members to the present Colonial Legislature, while the rest of the colony, comprising all the sheep-walks and cattle-runs of the territory, with the remaining five-ninths of the general population thinly scattered over an extent of country as large as all Great Britain and France, was divided into 25 electoral districts, which return 28 members.

That, although the county of Cumberland contains only four-ninths of the entire population, its inhabitants represent a much larger proportion (upwards of one-half) of the wealth of the colony, all the rest of the occupied territory being merely the progressive expansion of the older settlements of that county, and much of the property, both real and personal, in all parts of it, being held by persons residing in the county of Cumberland, whereas a large proportion of the population of the pastoral districts which at present engross so disproportionate an amount of the representation consists of mere tenants of the Crown and their dependents, including many foreigners, who are for the most part ignorant of the language and unacquainted with the institutions of a British people.

That, in proof of the correctness of these statements, it has just been ascertained that the number of duly qualified electors in the five electoral districts of the county of Cumberland is 12,504, while the whole number in all the other electoral districts of the colony is only 11,414, that is 1,090 fewer than in the county of Cumberland alone.

That the natural effect of this policy has been virtually to extinguish the popular element in the actual legislature by means of a mock representation for the thinly-peopled portions of the territory, and thereby to reduce the colonists to a state of entire helplessness under the power of a virtually self-constituted and irresponsible legislature.

That, under this preposterous system, the election of members for the pastoral districts of the colony has in a great measure degenerated into an unmeaning ceremony, which only excites the ridicule and scorn of the community, while on questions of public expenditure the proceedings of the legislative body not unfrequently exhibit the unheard-of political phenomenon of small minorities outvoting large majorities of the representatives of the people by means of mere Government officials and nominees.

That it was by a legislature of so questionable a character, both in its origin and proceedings, that the new Constitution Bill of 1853, which has since been forwarded for the consideration of Her Majesty and the Imperial Parliament, was framed; and that, in so far as the representation is concerned, the said Bill is

Sydney.

is merely a reproduction and expansion of the present constitution under the Electoral Act of 1851; the county of Cumberland, with four-ninths of the population, and upwards of one-half of the wealth of the colony, having only 13 members assigned to it under the proposed new constitution, while the rest of the colony, including all the pastoral districts, has 41.

That, on the promulgation of the new Constitution Bill, your petitioners, in common with a large number of the inhabitants of the colony in all parts of the territory, petitioned against its adoption either to the local legislature or to Her Majesty and the Imperial Parliament, urging the utter incompetency of the present Legislative Council to frame a constitution for this colony, and expressing their utter abhorrence of the principles embodied in the said new Constitution Bill.

That your petitioners, having ascertained that the consideration of the said new Constitution Bill has been deferred till next Session of Parliament, would reiterate the same expression of opinion, and renew their earnest petition that the said Bill may never be permitted to become the law of the land in this colony.

That your petitioners are sincerely desirous that an Upper House or Senate should be constituted for this colony, in conjunction with a House of Assembly; but they decidedly and strongly object to the principle of nomineeism in any form or to any extent in either House of the future Legislature; and they respectfully but firmly insist, as their undoubted right, upon a fair and equitable distribution of the representation on the British principle of population and property combined.

That, while your petitioners are of opinion that the administration of the waste lands of this colony, as well as of all colonial revenues whatsoever, should be conceded to a legislature constituted on the principles indicated, with full power to deal with all existing arrangements as may be deemed expedient and necessary for public welfare, they are decidedly of opinion that the present land system not only checks the sale of land and diminishes the land revenue to an incalculable extent, but affords unnecessary encouragement for the introduction of inferior races, impedes the prosperity and advancement of the community in an endless variety of ways, and thereby prevents the rapid settlement of the country with a thoroughly British population.

Your petitioners, therefore, having no confidence in the present legislative council of the colony, or in any constitution which a legislature so constituted would form, humbly pray, as they are reluctantly compelled to do, that the task of framing a constitution for the Australian colonies generally, and for this colony in particular, may be devolved either on the Imperial Parliament, in accordance with the principles indicated above, or on a constituent assembly to be constituted under the authority of Parliament.

And your petitioners, as in duty bound, will ever pray.

Dated this 30th day October 1854.

(13 Signatures.)

(Presented by Mr. *Lowe*.)

The Petition of the undersigned Inhabitants of the Districts of the *Upper Hunter*, in the Territory of *New South Wales*,

Humbly sheweth,

Upper Hunter Districts.

THAT on the promulgation of the New Constitution Bill, passed by the Legislative Council of New South Wales in the year 1853, your petitioners, in common with a large portion of the inhabitants the territory, protested against the same, as repugnant to their interests, and to the interests of the colony at large, and antagonistic to the spirit of the British constitution, and in such terms petitioned the local legislature, expressive of their detestation of the principles of the said Bill, and praying that the same might not be adopted.

That your petitioners, having ascertained that the consideration of the New Constitution Bill has been deferred till next Session of the Imperial Parliament, would

would approach your Honourable House with unfeigned respect, humbly to reiterate their abhorrence of the principles embodied in the same Bill, and to renew their earnest petition that it may never be permitted to become the law of the land in Her Majesty's territory of New South Wales.

Upper Hunter Districts.

That your petitioners are sincerely desirous that an Upper House, or Second Chamber, should be constituted in New South Wales, in conjunction with a House of Assembly, and that the same should be based upon the elective principles recently recognised by Her Majesty's Ministers, in the debate in the Imperial Parliament upon the Canadian Constitution; and that, while of opinion that the present regulations for the administration of the public lands of this territory operate in divers ways injuriously, they submit to your Honourable House that the control of the public lands, as well as all colonial revenues whatsoever, should be conceded to the Legislative Council, framed on the principles mentioned.

That your petitioners, having no confidence in the present Legislative Council, or any constitution which a legislature similar to the said Legislative Council can form, humbly pray that the function of framing a constitution for the Australian colonies generally may devolve on your Honourable House, according to principles indicated above.

(175 Signatures).

(Presented by Mr. *Lowe*.)

The Petition of the Inhabitants of the District of *Parramatta*.

Humbly sheweth,

That in the year 1850 the Imperial Parliament passed an Act for the better government of the Australian colonies.

Parramatta District.

That as this Act extended the elective franchise from a 20 *l.* to a 10 *l.* rate, and empowered the Colonial Legislature to apportion the future representation agreeably to the principles of the British constitution, it would have conferred a great benefit upon your petitioners, and the other colonists of New South Wales, if it had only been carried out fairly and equitably, agreeably to the evident intentions of the Imperial Parliament.

That from the unconstitutional character of the local legislature of the period, and the predominance of the pastoral interest in its councils, an Electoral Act was passed by the Legislative Council of this colony, in the year 1851, under the alleged authority of the Imperial Act, which not only completely frustrated the beneficent intentions of that Act, and deprived the colonists of the benefits of good government which it was meant to insure them, but was entirely at variance with the acknowledged principles of the British Constitution, and wantonly trampled upon the political rights of the principal portion of the population.

That by this Act the county of Cumberland—the earliest settled, most densely peopled, and wealthiest portion of the colony, containing as it does the city of Sydney and the towns of Parramatta and Windsor, and comprising four-ninths of the entire population—was divided into five electoral districts, which return only eight members to the present Colonial Legislature; while the rest of the colony, comprising all the sheep-walks and cattle-runs of the territory, with the remaining five-ninths of the general population, thinly scattered over an extent of country as large as all Great Britain and France, was divided into 25 electoral districts, which return 28 members.

That although the county of Cumberland contains only four-ninths of the entire population, its inhabitants represent a much larger proportion (upwards of one-half) of the wealth of the colony, all the rest of the occupied territory being merely the progressive expansion of the older settlements of that county, and much of the property, both real and personal, in all parts of it, being held by persons residing in the county of Cumberland; whereas a large proportion of the population of the pastoral districts, which at present engross so disproportionate an amount of the representation, consists of mere tenants of the Crown and their dependents, including many foreigners, who are for the most

Parramatta District.

most part ignorant of the language and unacquainted with the institutions of a British people.

That, in proof of the correctness of these statements, it has just been ascertained that the number of duly qualified electors in the five electoral districts of the county of Cumberland is 12,504, while the whole number in all the other electoral districts of the colony is only 11,414, that is, 1,090 fewer than in the county of Cumberland alone.

That the natural effect of this policy has been virtually to extinguish the popular element in the actual Legislature, by means of a mock representation for the thinly peopled portions of the territory, and thereby to reduce the colonists to a state of entire helplessness, under the power of a virtually self-constituted and irresponsible Legislature.

That, under this preposterous system, the election of members for the pastoral districts of the colony has in a great measure degenerated into an unmeaning ceremony, which only excites the ridicule and scorn of the community; while on questions of public expenditure the proceedings of the legislative body not unfrequently exhibit the unheard-of political phenomenon of small minorities outvoting large majorities of the representatives of the people by means of mere Government officials and nominees.

That it was by a legislature of so questionable a character, both in its origin and proceedings, that the new Constitution Bill of 1853, which has since been forwarded for the consideration of Her Majesty, and the Imperial Parliament, was framed; and that, in so far as the representation is concerned, the said Bill is merely a reproduction and expansion of the present constitution under the Electoral Act of 1851; the county of Cumberland, with four-ninths of the population, and upwards of one-half of the wealth of the colony, having only 13 members assigned to it under the proposed new constitution, while the rest of the colony, including all the pastoral districts, has 41.

That, on the promulgation of the new Constitution Bill, your petitioners, in common with a large number of the inhabitants of the colony in all parts of the territory, petitioned against its adoption, either to the local legislature or to Her Majesty and the Imperial Parliament, urging the utter incompetency of the present Legislative Council to frame a constitution for this colony, and expressing their utter abhorrence of the principles embodied in the said new Constitution Bill.

That your petitioners, having ascertained that the consideration of the said new Constitution Bill has been deferred till next Session of Parliament, would again approach your Honourable House with unfeigned attachment to Her Majesty's person, humbly to reiterate the same expression of opinion, and to renew their earnest petition that the said Bill may never be permitted to become the law of the land in this colony.

That your Petitioners are sincerely desirous that an Upper House or Senate should be constituted for this colony, in conjunction with a House of Assembly; but they decidedly and strongly object to the principle of nomineeism in any form or to any extent in either House of the future Legislature; and they respectfully but firmly insist, as their undoubted right, upon a fair and equitable distribution of the representation on the British principle of population and property combined.

That, while your petitioners are of opinion that the administration of the waste lands of this colony, as well as of all colonial revenues whatsoever, should be conceded to a legislature constituted on the principles indicated, with full power to deal with all existing arrangements as may be deemed expedient and necessary for public welfare, they are decidedly of opinion that the present land system not only checks the sale of land, and diminishes the land revenue to an incalculable extent, but affords unnecessary encouragement for the introduction of inferior races, impedes the prosperity and advancement of the community in an endless variety of ways, and thereby prevents the rapid settlement of the country with a thoroughly British population.

Your petitioners, therefore, having no confidence either in the present Legislative Council of this colony, or in any constitution which a legislature so constituted would form, humbly pray, as they are reluctantly compelled to do, that the task of framing a constitution for the Australian Colonies generally, and

and for this colony in particular, may be devolved either on the Imperial Parliament, in accordance with the principles indicated above, or on a constituent assembly to be constituted under the authority of Parliament. Parramatta District.

And your petitioners, as in duty bound, will ever pray.

(450 Signatures.)

(Presented by Mr. *Lowe*.)

The Petition of the undersigned Inhabitants of the Town of *Kiama*, in the Colony of *New South Wales*,

Humbly sheweth,

THAT in the year 1850 the Imperial Parliament passed an Act for the better government of the Australian Colonies. Kiama.

That as this Act extended the elective franchise from a 20 *l.* to a 10 *l.* rate, and empowered the Colonial Legislature to apportion the future representation agreeably to the principles of the British Constitution, it would have conferred a great benefit on your petitioners, and the other colonists of New South Wales, if it had been carried out fairly and equitably, agreeably to the evident intention of the Imperial Parliament.

That from the unconstitutional character of the local legislature of the period, and the predominance of the pastoral interest in its councils, an Electoral Act was passed by the Legislative Council of this colony, in the year 1851, under the alleged authority of the Imperial Act, which not only completely frustrated the beneficent intentions of that Act, and deprived the colonists of the benefits of good government which it was meant to insure them, but was entirely at variance with the acknowledged principles of the British Constitution, and wantonly trampled upon the political rights of the principal portion of the population.

That by this Act the county of Cumberland—the earliest settled, most densely peopled, and wealthiest portion of the colony, containing as it does the city of Sydney, and the towns of Parramatta and Windsor, and comprising four-ninths of the entire population—was divided into five electoral districts, which return only eight members to the present Colonial Legislature; while the rest of the colony, comprising all the sheep-runs and cattle-runs of the territory, with the remaining five-ninths of the general population, thinly scattered over an extent of country as large as all Great Britain and France, was divided into 25 electoral districts, which return 28 members.

That although the county of Cumberland contains only four-ninths of the entire population, its inhabitants represent a much larger proportion (upwards of one-half) of the wealth of the colony, all the rest of the occupied territory being merely the progressive expansion of the older settlements of that country, and much of the property, both real and personal, in all parts of it, being held by persons residing in the county of Cumberland; whereas a large proportion of the population of the pastoral districts, which at present engross so disproportionate an amount of the representation, consists of mere tenants of the Crown and their dependents, including many foreigners, who are for the most part ignorant of the language and unacquainted with the institutions of a British community.

That, in proof of the correctness of these statements, it has just been ascertained that the number of duly qualified electors in the five electoral districts of the county of Cumberland is 12,504, while the whole number in all the other electoral districts of the colony is only 11,414, that is 1,000 fewer than in the county of Cumberland alone.

That the natural effect of this policy has been virtually to extinguish the popular element in the actual legislature, by means of a mock representation for the thinly peopled portions of the territory, and thereby to reduce the colonists to a state of entire helplessness, under the power of a virtually self-constituted and irresponsible legislature.

That, under this preposterous system, the election of members for the pastoral

 districts

Kiama.

districts of the colony has in a great measure degenerated into an unmeaning ceremony, which only excites the ridicule and scorn of the community; while on the questions of public expenditure, the proceedings of the legislative body not unfrequently exhibit the unheard-of political phenomenon of small minorities outvoting large majorities of the representatives of the people, by means of mere Government officials and nominees.

That it was by a legislature of so questionable a character, both in its origin and proceedings, that the new Constitution Bill of 1853, which has since been forwarded for the consideration of Her Majesty the Queen, and your Honourable House, was framed; and that, in so far as the representation is concerned, the said Bill is merely a reproduction and expansion of the present constitution; under the Electoral Act of 1851, the county of Cumberland, with four-ninths of the population, and upwards of one-half of the wealth of the colony, having only 13 members assigned to it under the proposed new constitution, while the rest of the colony, including all the pastoral districts, has 41.

That on the promulgation of the new Constitution Bill, your petitioners, in common with a large number of the inhabitants of the colony, in all parts of the territory, petitioned against its adoption, either to the local legislature or to Her Majesty the Queen, and your Honourable House, urging the utter incompetency of the present Legislative Council to frame a constitution for this colony, and expressing their utter abhorrence of the principles embodied in the said new Constitution Bill.

That your petitioners having ascertained that the consideration of the said new Constitution Bill has been deferred till next Session of Parliament, would again approach your Honourable House, humbly to reiterate the same expression of opinion, and to renew their earnest petition that the said Bill may never be permitted to become the law of the land in this colony.

That your petitioners are sincerely desirous that an Upper House or Senate should be constituted for this colony, in conjunction with a House of Assembly; but they decidedly and strongly object to the principle of nomineeism in any form, or to any extent, in either House of the future Legislature; and they respectfully but firmly insist, as their undoubted right, upon a fair and equitable distribution of the representation on the British principle of population and property combined.

That while your petitioners are of opinion that the administration of the waste lands of this colony, as well as of all colonial revenues whatsoever, should be conceded to a legislature constituted on the principles indicated, with full power to deal with all existing arrangements, as may be deemed expedient and necessary for the public welfare, they are decidedly of opinion that the present land system not only checks the sale of land, and diminishes the land revenue to an incalculable extent, but affords unnecessary encouragement for the introduction of inferior races, impedes the prosperity and advancement of the community in an endless variety of ways, and thereby prevents the rapid settlement of the country with a thoroughly British population.

Your petitioners, therefore, having no confidence either in the present Legislative Council of this colony, or in any constitution which a legislature so constituted would form, humbly pray, as they are reluctantly compelled to do, that the task of framing a constitution for the Australian colonies generally, and for this colony in particular, may be devolved either on the Imperial Parliament, in accordance with the principles indicated above, or on a constituent assembly to be constituted under the authority of Parliament.

And your petitioners, as in duty bound, will ever pray.

(178 Signatures.)

South Australia.

(For Alterations in proposed Constitution.)

(Presented by Mr. *Hutt*.)

The Memorial of the undersigned Colonists of *South Australia*,

Humbly sheweth,

That the Acts to establish a Parliament in South Australia, and to confer a civil list on Her Majesty, passed by the Legislative Council of the province in the late Session, are in two vital points directly opposed to the views and sentiments of the great majority of the colonists. South Australia.

In the first place, the Parliament Act provides that the Parliament shall consist of two chambers, one of which shall be composed of members nominated by the Crown for life.

Secondly. The Civil List Act contains a provision enacting that the persons now holding office as Colonial Secretary, Advocate-general, Treasurer, Collector of Customs, and Commissioner of Crown Lands, shall (directly the amended constitution comes in force) receive gratuities equal to four years' amount of the salary they now receive.

On these heads your memorialists beg leave to observe that the principle of a second chamber composed of nominees of the Crown appointed for life is totally opposed to the views and wishes of a great majority of the colonists; in addition to which they feel that a sense of duty to the community at large compels them to state in detail a few of the circumstances connected with the passing of the Parliament and Civil List Acts.

Prior to the second reading of the Parliament Act, the elected members held several meetings, at which it was determined that the following resolution should be moved in council: "That in the proposed Bill for constituting a Parliament in South Australia, this council is of opinion that the upper chamber should be elective." This motion being duly proposed and seconded, a debate ensued, during which thirteen of the elected members declared themselves in favour of the elective principle, two spoke against it, and one seat was vacant (the council being composed of sixteen elective and eight nominee members). The Government officers and nominees opposed the motion, some on the plea that they were opposed to an elective upper house on constitutional principles, while they were all unanimous in declaring that, in their opinion, the despatches from the Colonial Office left no option between retaining the present objectionable system (which enables the nominees of the Crown, sitting and voting in the same chamber with the elective members, to carry measures in opposition to the majority of the representatives of the people), or adopting the Government measure of two chambers, one of which is to be composed of nominees of the Crown appointed for life; and the Colonial Secretary stated that "should the motion in favour of an elective upper chamber be carried, it would be fatal to the measure, as the Government would not only withdraw the Parliament Bill, but would oppose any Bill which might be brought in to amend the constitution by establishing two chambers, both elective." This declaration on the part of the Colonial Secretary induced some of the elected members to enter into a *quasi* compromise with the Government, whereby the clauses establishing the nominated upper house were slightly modified, these members being of opinion that this very trivial amendment of the constitution was preferable to the present very obnoxious system, which enables the Government by the aid of nominees sitting and voting in the same house with the elected members, to carry measures directly opposed to the votes of a majority of the elected members and to the views and wishes of the colonists whom they represent, and which would further continue to deprive the colonists of all control over the land fund expenditure, and of more extended

South Australia.

legislative powers, it being positively asserted by the Colonial Secretary and Members of Government that, unless the principle of a nominated upper house were adopted, the Colonial Office would not give up the control of the land fund, or in any way permit an amendment of the constitution. Next, with reference to the gratuities which the Civil List Act provides shall be paid to the persons now holding office as Colonial Secretary, Advocate-general, Treasurer, and Collector of Customs, your memorialists would observe that, as they are informed and believe, it is contrary to the usages of Parliament for any member to vote on any question involving his own private and pecuniary interest, and that any vote so given must afterwards, on motion made, be struck off. A reference to the votes and proceedings of the Legislative Council will show that numerous divisions took place on the various clauses and schedules of the Civil List Bill, and, amongst others, that on the question for granting a gratuity equal to four years' present salary to the persons now filling the offices of Colonial Secretary, Advocate-general, Treasurer, and Collector of Customs, the votes of these officers will be found in the majority voting for such gratuities, and which gratuities would not have been carried had these officers abstained from voting: thus not only voting on a question in which they were personally and pecuniarily interested, but actually carrying by their own votes a measure calculated to put a sum of money in their own pockets at the expense of the colonists at large, and against the votes of a majority of the representative members.

Your memorialists do not wish to dwell at too great length on the means taken by the Government to induce various members (who had at various times, as well in as out of council, declared themselves in favour of the elective principle) to abandon their views. They have already pointed out the misrepresentations of the Government as to the interpretation to be placed on the despatches of the Colonial Office, and would briefly point to the significant fact, that one of the most strenuous converts to the compromise with the Government was, immediately subsequent to the prorogation of the council, appointed to the lucrative post of superintendent of convicts, to say nothing of hopes and hints held out towards others of gratifying their ambition by nominations to the upper house.

A careful perusal of the foregoing statement, and reference to the proceedings of the late Session of the Legislative Council, will (in the opinion of the memorialists) show that the clauses of the Act to establish a Parliament in South Australia, making provision for an upper chamber, consisting of nominees of the Crown, appointed for life, have been carried against the wishes of the colonists and their representatives, who have been misled by the assertion of the Government, that no other system would be sanctioned by the home Government. Such representation was always opposed to the opinion of your memorialists, founded upon a careful perusal of the despatches of the Colonial Office; but their views and opinions were rendered nugatory by the statement of the Colonial Secretary, that the Government would oppose any measure to amend the constitution, differing in principle from the one they had introduced. The views and opinions of your memorialists have since met with ample confirmation, in the much more liberal reform of the constitution introduced by the Victoria Government, which concedes the principle of an elected upper chamber, so earnestly desired by the colonists of South Australia; and your memorialists entertain the confident conviction that the colonists of South Australia are equally fitted to receive the great boon of an elective Parliament as the colonists of Victoria.

Under these circumstances, your memorialists humbly pray that your Honourable House will be pleased, in any Act required to be passed by your Honourable House to grant an amended constitution to South Australia, to cause the following provisions to be introduced: first, that the second chamber should be composed of members elected for a term of years, the details of such election to be determined at a session of the Legislative Council, to be summoned prior to the Act to amend the constitution coming into force; and secondly, that as regards gratuities to the persons now holding the offices of Colonial Secretary, Advocate-general, Treasurer, Collector of Customs, and Commissioner of Crown Lands, which gratuities under the Civil List Bill have, as regards the first four named officers, been carried in their own favour, by

their

their own votes, contrary to the usage and custom of Parliament in such cases, your memorialists pray that, in like manner, the question of these gratuities shall be left to the decision of the Legislative Council, to be summoned prior to the amended constitution coming into effect, and on which occasion the votes of the parties thus personally and pecuniarily interested shall not be taken. South Australia.

And your memorialists, as in duty bound, will ever pray.

(4,013 Signatures.)

NEW SOUTH WALES.

COPIES of all PETITIONS on the Subject of the proposed CONSTITUTION for *New South Wales*, presented to the House of Commons since the Year 1853, with the Number of SIGNATURES attached to each PETITION.

(*Mr. Lowe.*)

Ordered, by The House of Commons, *to be Printed,*
11 *June* 1855.

301.

Under 2 *oz.*

NEW ZEALAND.

RETURN to an Address of the Honourable The House of Commons, dated 22 February 1855;—*for*,

"COPIES of the Recent CORRESPONDENCE between HER MAJESTY'S SECRETARY OF STATE for the COLONIES and the ACTING GOVERNOR of *New Zealand* on the Subject of RESPONSIBLE GOVERNMENT."

Colonial Office, 30 March 1855.

G. GREY.

(*Mr. Adderley.*)

Ordered, by The House of Commons, *to be Printed*, 30 *March* 1855.

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SCHEDULE.

DESPATCHES FROM THE OFFICER ADMINISTERING THE GOVERNMENT.

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THE RIGHT HONOURABLE SIR GEORGE GREY, BART.

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COPIES of the Recent CORRESPONDENCE between HER MAJESTY'S SECRETARY OF STATE for the COLONIES and the ACTING GOVERNOR of *New Zealand* on the Subject of RESPONSIBLE GOVERNMENT.

Despatches from the Officer Administering the Govermnent.

— No. 1. —

(No. 48.)

COPY of a DESPATCH from the Officer Administering the Government to the Duke of *Newcastle*.

No. 1. Officer administering the Government to the Duke of Newcastle. 9 June 1854.

Government House, Auckland,
9 June 1854.
(Received, 14 October 1854.)
(Answered, 8 December 1854, No. 39, page 39.)

My Lord Duke,

THE question of responsible government having been the first subject before the House of Representatives, and fully discussed with great talent and moderation in a debate lasting four days, a resolution, of which the enclosed is a copy, was carried on the 5th instant, by a majority of 29 to 1.

Enclosure, No. 1. Resolution of the House of Representatives, 6th June 1854, together with the newspapers containing the debate.*

2. Seeing the position in which I was thus placed by an all but unanimous resolution from the House of Representatives, calling for certain arrangements not provided for in the Constitution Act, and which, if rejected, would inevitably lead to unpleasant if not serious consequences to the well-working of a form of government in all other respects so popular to the people of New Zealand; and seeing by the opinion of the Attorney-general, embodied in the decision of the Executive Council, that an opening presented itself, I trust your Grace will concur with me that I could not adopt, justifiably, any course better calculated to meet the views of the Representatives (so as to avert a rupture, that if once roused would be fatal to the harmony of the whole Session), than the one suggested by the legal adviser of the colony, and confirmed by the Members of my Council. Feeling also how much depended on immediate action on my part, and entirely setting aside personal consequences in the hopes of furthering the interest and prosperity of the colony at large, I determined on seeking an interview with the gentlemen named in the margin (who so ably and temperately proposed and seconded the reply to my opening Address), in the hopes of preserving unanimity in the Assembly, by securing their services in my Executive Council, subject to Her Majesty's approval; thus carrying out the earnestly desired system of responsible government to the utmost in my power, without trenching on the Constitution Act or exceeding the limits of my instructions.

Enclosure, No. 2. Extract from Minutes of the Executive Council, embodying the opinion of the Attorney-general. 6th of June 1854.

J. E. Fitzgerald, Esq.
D. Monro, Esq.

3. The plan I propose to adopt, and which will, I imagine, be gratefully received, is to add to my Executive Council the names of three Members of the Assembly, whose duty it will be not only to conduct the legislative business of the government through the Session, but also carry with them while so engaged the confidence of the House of Representatives, without at the same time disturbing the original Members of my Executive Council in the discharge of their respective duties, and whose appointments under the New Zealand Government are already recognised by the Crown.

4. Having conferred with these gentlemen, and explained to them the line of

* This lengthy report of debate, contained in the "New Zealander" newspaper, Nos. 850 and 851, 7th and 10th June, is omitted.

of policy I proposed to adopt, pending the receipt of your Grace's commands, I beg to add that, although they conceive the proposal calculated to give perfect satisfaction to all parties, still time has been solicited to ascertain if they are likely to carry with them the confidence of the House, or whether it may be more desirable for me to solicit the exertions of others. No third party has yet been decided on, as it is deemed advisable to select one whose legal knowledge and experience can by them be made available.

5. When the arrangements are finally completed, which I trust may be in a few days, I shall again communicate with your Grace, and continue to keep you informed of every step I take on this highly important and to me trying position.

I have, &c.
(signed) *R. H. Wynyard,*
Officer administering the Government.

Enclosure 1, in No. 1.

Encl. 1, in No. 1.

EXTRACT from the Minutes of the Proceedings of the House of Representatives.

Tuesday, 6 June 1854.

(No. 3.)

Resolved, THAT a respectful address be presented by the Speaker to the Officer administering the Government, praying that his Excellency will be pleased to take the following resolution into his serious and early consideration, viz.:

That amongst the objects which this House desires to see accomplished without delay, both as an essential means whereby the general Government may rightly exercise a due control over the provincial government, and as a no less indispensable means of obtaining for the general Government the confidence and attachment of the people, the most important is the establishment of ministerial responsibility in the conduct of legislative and executive proceedings by the Government.

(True extract.)

(signed) *Charles Clifford,* Speaker.

Enclosure 2, in No. 1.

Encl. 2, in No. 1.

EXTRACT from the Minutes of the Executive Council.

Tuesday, 6 June 1854.

THE Officer administering the Government brought under the consideration of the Council the following resolution passed by the House of Representatives, on Monday, the 5th instant, by a majority of 29 to 1, namely,

"That among the objects which this House desire to be accomplished without delay, both as an essential means whereby the general Government may rightly exercise a due control over the provincial governments, and as a no less indispensable means of obtaining for the general Government the confidence and attachment of the people, the most important is the establishment of ministerial responsibility in the conduct of legislative and executive proceedings by the Governor."

His Excellency informed the Council that he had submitted the subject for the legal opinion of the Attorney-general, and that that officer had given the following opinion thereon, viz.: —

By the recent Act for granting a representative constitution to New Zealand no provision has been made for establishing "ministerial responsibility in the conduct of legislative and executive proceedings by the Governor." By the Royal letters patent (13 September 1852) issued to the Governor subsequently to the passing of the Act, it is provided that the government of the colony shall be administered by a governor, under instructions from the Crown, and with the advice and assistance of an Executive Council.

By the "Royal Instructions" of the same date (13th of September 1852), and accompanying the Governor's commission, the under-mentioned persons are nominated and appointed by the Crown to be members of the Executive Council (that is to say):

The senior Military Officer in command of Her Majesty's Troops;
The Colonial Secretary, or the person acting in that capacity;
The Attorney-general, or the person acting in that capacity;
The Treasurer, or the person acting in that capacity;

And

And such other persons as the Governor shall deem to be qualified and capable to advise him. But it is provided that any appointment so to be made by the Governor shall be provisional only, and subject to be confirmed or disallowed by the Crown.

The "Royal Instructions" further provide that the Executive Council shall not proceed to the despatch of business unless summoned by the Governor; that as a general rule no question shall be brought before them for their advice or decision excepting such as may be proposed by the Governor; and that it shall be competent for the Governor, although he may dissent from the opinion of the major part, or of the whole of the Council, to execute the powers conferred upon him, in opposition to their opinion. But that, in such case, it shall be competent for any member of the Council to record on the minutes the reasons of any advice he may give; and that it shall be peremptory on the Governor in such case immediately to transmit to the Crown a full explanation and a copy of such minutes.

By the terms of his commission, and by the "Royal Instructions" accompanying it, the Governor himself is made directly responsible to the Crown, and no power is given to him to delegate his authority, or to relieve himself from such responsibility in the conduct of the duties of his office.

By the same instruments, the members of the Executive Council are also made responsible to the Crown.

Neither by the Constitution Act, nor by the instruments under the authority of which he administers the government, has any provision been made for enabling the Governor to establish "ministerial responsibility in the conduct of legislative and executive proceedings by the Governor."

Looking to the provisions of the Constitution Act (sections 55 and 56), by which it is enacted, that the Governor may by message transmit to either the Legislative Council or to the House of Representatives, for their consideration, the drafts of any laws which it may appear to him to be desirable to introduce; and that he may also make such amendments as he may think expedient in any Bill which may have been passed by the Council and House, and return the same for their consideration; and looking to the recommendation contained in the Report of the Committee of the Board of Trade and Plantations on the proposed establishment of a representative legislature for the Cape of Good Hope, which appears to have been under the notice of Her Majesty's Government when engaged in the preparation of the New Zealand Constitution Act, it would seem to have been the opinion of the framers of the Act, that it was not necessary that the executive should be represented either in the Legislative Council or in the House of Representatives; and that it was intended by them that the Governor should not only exercise the power of assenting to or disallowing the legislative measures of the Legislative Council and the House of Representatives, but that he should form an active and co-ordinate branch of the Assembly, and with the advice and assistance of the Executive Council, take a direct and distinct share in the business of the Legislature.

With a general desire on the part of the Members of the Assembly to carry out the apparent intentions of the framers of the Act, it would be possible, though difficult, to carry through two chambers the legislative measures necessary for giving effect to the policy of the Government; but, in the absence of a co-operative spirit on their part, it would be impracticable successfully to conduct through the two branches of the Legislature the most ordinary government business. From the recent debates in the House of Representatives, it is obvious that the Members of the House are not prepared cordially to acquiesce in any arrangement for the conduct of the public business in the Assembly, which shall render unnecessary the presence in the Legislature of any representation of the Executive Government.

It can scarcely be doubted that the absence of any provision for securing that the Executive should be represented in the Legislature is a defect in the Act, and the practical question is, whether it is now within the power of the Officer administering the Government to remedy the defect.

In the absence of any practical difficulty, the most simple course would have been for the Officer administering the Government to select from the Members of the Assembly three persons who enjoy the respect and confidence of the country, and who would be prepared to carry out the policy of the Government, and to appoint such persons to the offices of Colonial Secretary, Attorney-general, and Colonial Treasurer; but the difficulty which stands in the way of such an arrangement arises from the fact that the present holders of these offices held virtually permanent appointments, which, in the absence of misconduct on their parts, they can hardly be called upon to resign; and not having been required by the then Governor to secure their election for a seat in the House of Representatives before the general election, they could not now be required to vacate their offices merely because they should not be able to secure their election by any particular constituency, even if a vacancy were made in order that the experiment might be tried.

It would be desirable, however, that the Officer administering the Government, if he remains in office, and that a new Governor, if a successor be appointed, should be in a position to call to his Council, and to appoint to the principal offices of government, persons in whom the country would confide, to give free scope to the full development of the new constitution. An Act to be passed by the Assembly for securing to the present holders of these offices a reasonable provision, in the event of their retirement, would probably lead to the attainment of that object.

It would further be competent for the Officer administering the Government, under the authority of the "Royal Instructions" at once to add to the Executive Council such other

persons as "he may deem qualified and capable to advise him." By this means it would be within his power to secure, in some measure,the representation of the Government in the Legislature. With this object, two or three Members having seats in the Assembly, might be appointed provisionally members of the Executive Council, to form the recognised organ of communication between the Executive and Legislative. The persons selected for this purpose, without being appointed at present to any specific offices, might be charged with the duty of conducting the Government business through the two Chambers; with the duty of preparing, introducing, and superintending in their progress such Bills as may be necessary for giving effect to the policy of the Government; of preparing a financial statement, and the necessary measures for giving it practical effect. To enable the persons entrusted with these duties to discharge them efficiently, it would be essential that the Officer administering the Government should give them his confidence and cordial support. As a return for laborious service, and further to secure their responsibility, it would be desirable that they should be adequately paid. It would also be indispensable that one of the number should be an able and experienced lawyer.

These legislative members of the Government, it is to be presumed, would take office only on the condition of holding their appointments so long as they should retain the confidence of the Legislature; as regards the Crown, their appointments being made under the authority of the "Royal Instructions" would be "provisional only, and subject to be confirmed or disallowed by the Crown."

In the mean time, and during the continuance of the Session, at least, it would probably tend to the public convenience that the present Secretary, Attorney-general, and Treasurer, should continue to hold their offices, and to transact the ordinary and current business of their respective departments.

In the absence of special authority from Her Majesty's Government, it is not, I think, within the power of the Officer administering the Government to take any measures for carrying into effect the resolution of the House of Representatives further than to prepare the way for opening the principal offices of the Government to new men, and in the mean time, and as a temporary measure, to add two or three Members of the Assembly to the Executive Council, for the purpose of establishing a recognized and responsible medium of communication between the Executive and the Legislative of the Government.

The course thus suggested is not free from objection, and it would no doubt be attended with some difficulty and inconvenience; it proceeds, however, as far as, consistently with his powers and duties, and especially with his position as temporary administrator of the Government, he can, I think, prudently be advised to proceed.

Looking to the views and expectations of the Members of the Legislation now assembled from all parts of the colony, there is no reasonable grounds to believe that, in the absence of any measure for securing the representation of the executive in the Assembly, that the most ordinary and necessary business of the Government can be successfully conducted through the Chambers, seeing the strong tendency to provincial independence, believing, that if the general Government be not strengthened, the central authority will become virtually powerless; and that if the power of the general Government be not now increased, the opportunity will be lost of limiting and defining the powers of the Provincial Executive; seeing, too, that the temper of the House is as yet moderate, and that there appears to be a disposition on the part of the Members to work cordially with the Government, if met in a conciliatory spirit, and believing, that ill feeling once aroused would be followed for years by a mischievous and unprofitable agitation, I think that if the course above suggested would secure the maintenance of harmonious relation between the executive and legislative branches of the Government, his Excellency would, under all the circumstances of the case, exercise a sound discretion in adopting it.

5 June 1854. (signed) *William Swainson,*
Attorney-General.

The Officer administering the Government then requested the opinion of the Council as to the course which it would, in their opinion, be advisable by him to take in relation thereto.

The Council were unanimous in their opinion, that the Officer administering the Government would exercise a sound discretion, under the circumstances, in adopting the course suggested by the Attorney-generel.

(True extract.)

(signed) *A. S. Richmond,*
Acting Clerk of Executive Council.

— No. 2. —

(No. 49.)

COPY of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle*.

No. 2. Officer administering the Government to the Duke of Newcastle. 12 June 1854.

Government House, Auckland,
12 June 1854.
(Received, 14 October 1854.)

My Lord Duke, (Answered, 8 December 1854, No. 39, page 39.)

REFERRING to my despatch of the 9th instant, I have now the honour of laying before your Grace the enclosed copy of a communication from Mr. Fitzgerald, the Member for Lyttelton, with a copy of my answer thereto, together with an extract of the Minutes of the Executive Council, before whom I laid the correspondence for confirmation and approval. Thus, your Grace will perceive that, in keeping with the arrangements already detailed, the three gentlemen named in the margin* will be offered seats in the Executive Council, subject to Her Majesty's approval, and pending further instructions from the authorities at home, to carry on the Legislative business of the Government through the Assembly; a measure that I trust sincerely may not only secure the free working of the Constitution Act through this Session, but meet with your Grace's approbation.

Enclosure, No. 1. Auckland, 10 June 1854.
Enclosure, No. 2. Auckland, 10 June 1854.
Enclosure, No. 3. Extract from Minutes of Executive Council, 12th of June 1854.

I have, &c.
(signed) *R. H. Wynyard*,
Officer administering the Government.

Enclosure 1, in No. 2.

Sir, Auckland, 10 June 1854.

IN obedience to your Excellency's commands, I have communicated with those gentlemen who would, I conceive, be able to conduct the Legislative business of the Government in the House of Representatives, and would be willing to accept seats in the Executive Council for that purpose, and I have the honour to name to your Excellency, F. A. Weld, Esq. and H. Sewell, Esq., who, together with myself, are ready to undertake that task. Encl. 1, in No. 2.

I beg at the same time to represent to your Excellency that it would materially facilitate the conduct of legislation, and would tend to obtain the general confidence of the people, if a fourth member were added to the Executive Council, being an inhabitant of Auckland, and in a position to represent the special interests of the Auckland community; at the same time, I regret that I am unable at present to name such a person to your Excellency, but I hope to be able to do so in a few days.

In accepting office for the above purpose, I am to express, on my own part and that of my colleagues, that we do so on the understanding that, in accordance with the arrangement suggested by the Attorney general, a Bill shall be immediately introduced into the House of Representatives for the purpose of securing to the present holders of the offices of Secretary, Treasurer, and Attorney-general, such compensation as the House may deem to be fair and reasonable upon a full consideration of their respective claims, and that those gentlemen shall resign their offices as soon as the convenience of the public service shall require it.

I have, &c.
His Excellency (signed) *James Edward Fitzgerald.*
the Officer administering the Government.

Enclosure 2, in No. 2.

Sir, Government House, Auckland, 10 June 1854.

I HAVE the honour to acknowledge the receipt of your communication of this day's date, and in reference thereto, beg to state I am happy to find you disposed and enabled to carry out the proposition made to you by me, on receiving a resolution from the House of Representatives in connexion with the desire of that body for a system of responsible government, and to acquaint you that I shall have pleasure in appointing you, and the two gentlemen named by you, to seats in the Executive Council provisionally, till the pleasure of Her Majesty is known thereon; and be prepared, moreover, to repose in you my entire confidence, while carrying on the legislative business of the Government through the Assembly. Encl. 2, in No. 2. F. A. Weld, Esq. H. Sewell, Esq.

The

* J. E. Fitzgerald, Esq., Member for Lyttelton; F. A. Weld, Esq., Member for Wairau; Henry Sewell, Esq., Member for Christchurch.

The introduction of a member into the Executive Council, I conceive uncalled for at present; it might embarrass the officer appointed to relieve me, and on the other hand, the interest of the Auckland community can never fail to enjoy protection while the existing members, retain their seats in the Executive Council.

With regard to the third and last point alluded to, I feel convinced you will agree with me in the inexpediency of my disturbing in any way, as temporarily administering the government, the position of those now in office, at all events till I am honoured with the views of Her Majesty's home Government on the steps I have already taken. In the meantime I have not failed to make known to the gentlemen concerned the tenor of your concluding paragraph, in reference to which, no hesitation I find exists on their parts, to meet the requirements of Her Majesty's Government, as will be seen by the enclosed copies of notes I have received from them on the subject.

3.
10 June 1854.

I have, &c.
(signed) *R. H. Wynyard,*
Officer administering the Government.

J. E. Fitzgerald, Esq.,
&c. &c. &c. Auckland.

(No. 1.)

The colonial secretary will be prepared on a reasonable retiring provision being made for him, to resign his office, when the representative of the Crown shall intimate to him that the interests of the colony would be promoted by his doing so.

(signed) *Andrew Sinclair,*
Colonial Secretary.

10 June 1854.

(No. 2.)

The Attorney-general having been appointed by the Crown, conceives himself to be an officer responsible to the Crown. But that either with or without any retiring provision whatever, if the representative of the Crown shall intimate to him that the interests of the public service or of Her Majesty's colonial subjects would be promoted by his retirement, he will be ready to retire at any time.

(signed) *William Swainson,*
Attorney-General.

10 June 1854.

(No. 3.)

The Colonial Treasurer having been appointed by the Crown, will be prepared, provided an Act be passed by the Assembly making fitting provision for his retirement, immediately to tender his resignation to the Crown; and upon the confirmation of such Act by the Crown, and the acceptance of his resignation, be prepared immediately to give up office.

(signed) *Alexander Shepherd,*
Colonial Treasurer.

10 June 1854.

Enclosure 3, in No. 2.

Encl. 3, in No. 2.

Extract from the Minutes of the Executive Council, 12 June 1854.

The Officer administering the Government having laid before the Council a communication received from Mr. J. E. Fitzgerald, dated the 10th of June, connected with the arrangements proposed at the last meeting, together with his reply,

The Council unanimously agree in the views taken by his Excellency, and recommend that the letter be instantly despatched.

(True extract.)

(signed) *A. S. Richmond,*
Acting Clerk of Executive Council.

— No. 3. —

(No. 51.)

No. 3.
Officer administering the Government to the Duke of Newcastle.
16 June 1854.

COPY of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle*.

Government House, Auckland,
16 June 1854.
(Received, 15 December 1854.)

My Lord Duke, (Answered, 27 January 1855, No. 11, page 41.)

IN keeping with the arrangements detailed in my despatches of the 9th and 12th instant, I have the honour to inform your Grace, that the gentlemen named in the margin were on the 14th introduced, after taking the prescribed oaths, to seats in the Executive Council, a step I trust may meet Her Majesty's approval and confirmation.

J. E. Fitzgerald, Esq.
F. A. Weld, Esq.
H. Sewell, Esq.

I have, &c.
(signed) *R. H. Wynyard*,
Officer Administering the Government.

— No. 4. —

(No. 55.)

No. 4.
Officer administering the Government to the Duke of Newcastle.
30 June 1854.

COPY of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle*.

Government House, Auckland,
30 June 1854.
(Received, 15 December 1854.)

My Lord Duke, (Answered, 27 January 1855, No. 11, page 41.)

IN making the arrangement according to the advice of my Executive Council, consequent on the debate in the House of Representatives, as communicated in my despatches named in the margin, a non-official Member from the Legislative Council was overlooked, an omission that now appears totally at variance with the feelings and views of that body, as will be perceived by the enclosed copy of a resolution brought before that Council on the 26th instant by the Member for Auckland.

No. 48.
9 June 1854.
No. 49.
12 June 1854.

Enclosure, No. 1.
Motion of Mr. Whitaker in Legislative Council.
26 June 1854.

2. On the subject coming to my notice, I lost no time in consulting my Executive Council, and, after special consideration, the Council recommended that a fourth Member of the Assembly be added, and that member selected from the Legislative Council. Enclosed is a copy of the Minute on which I have ventured to take this step.

Enclosure, No. 2.
Extract from Minutes of Executive Council.
29 June 1854.

3. Although this may in some measure be deemed a deviation from the arrangement originally made with the consent of the Executive Council, it is one that unforseen circumstances have rendered necessary for carrying on the business of the Session through the Assembly, and which I have consented to adopt on no slight consideration, and consequently have to inform your Grace that I have this day introduced into the Executive Council of New Zealand, subject to Her Majesty's approval, Francis Dillon Bell, Esq., the Member for Wellington, with the understanding that he retains his seat provisionally, and precisely on the same terms as the other gentlemen similarly circumstanced.

I have, &c.
(signed) *R. H. Wynyard*,
Officer administering the Government.

Enclosure 1, in No. 4.

Encl. 1, in No. 4.

THAT notwithstanding the recent fundamental change in the government of this colony has been effected, irrespective of one of the branches of the Legislature, this Council is nevertheless desirous of recording its disposition to lend its best assistance towards the successful working of responsible government, at the same time this Council feels that no responsible member of the Government holding a seat in the Legislative Council, establishes an invidious distinction, introduces a practice not justified by precedence, is detrimental to a fair trial of the new form of government which has been introduced, and cannot fail to operate injuriously to the public service.

(True copy.)

(signed) *A. S. Richmond,*
Assistant Private Secretary.

Enclosure 2, in No. 4.

EXTRACT from the Minutes of the Executive Council, 29 June 1854.

Encl. 2, in No. 4.

THE Officer administering the Government, having laid before the Executive Council the resolution brought before the Legislative Council by the Member for Auckland on the 26th instant, herewith attached, namely,—

"That notwithstanding the recent fundamental change in the government of this colony has been effected, irrespective of one of the branches of the Legislature, this Council is nevertheless desirous of recording its disposition to lend its best assistance towards the successful working of responsible government; at the same time this Council feels that no responsible member of the Government, holding a seat in the Legislative Council, establishes an invidious distinction, introduces a practice not justified by precedence, is detrimental to a fair trial of the new form of government which has been introduced, and cannot fail to operate injuriously to the public service."

The Executive Council taking into their attentive and deliberate consideration the difficulty that must thereby necessarily exist in carrying on the business of the Government through the Assembly during the present Session, have come to the determination under all the circumstances of the case, to recommend, that as a provisional arrangement, a fourth member be added to the Executive Council, on the same terms as the gentlemen were introduced on the 14th instant, from the House of Representatives. The Council further recommended that Francis Dillon Bell, Esq., the Member for Wellington, should be selected.

(True extract.)

(signed) *A. S. Richmond,*
Acting Clerk of Executive Council.

— No. 5. —

No. 5.
Officer administering the Government to the Duke of Newcastle.
12 July 1854.

(No. 63.)

COPY of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle.*

Government House, Auckland,
12 July 1854.
(Received, 15 December 1854.)

My Lord Duke,

MR. FRANCIS DILLON BELL, the gentleman alluded to in my despatch of the 30th ultimo, having resigned his seat in the Executive Council, his presence at Wellington being urgently required in consequence of serious indisposition in his family, I have the honour to acquaint your Grace, that I have supplied his place by Mr. Bartley, who, at the recommendation of the Council, has been sworn in, and taken his seat as a member of that body, on the same terms as other gentlemen, under similar circumstances.

I have, &c.
(signed) *R. H. Wynyard,*
Officer adminstering the Government.

— No. 6. —

(No. 64.)

No. 6. Officer administering the Government to the Duke of Newcastle. 12 July 1854.

COPY of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle*.

Government House, Auckland,
12 July 1854.
(Received, 15 December 1854.)

My Lord Duke,

I HAVE the honour to acquaint your Grace, that I have this day called to a seat in the Legislative Council of New Zealand, the gentleman named in the margin, in order that his services may be made more available in carrying on the Legislative duties of the Session through the Assembly.

T. H. Bartley, Esq.

I have, &c.
(signed) *R. H. Wynyard*,
Officer administering the Government.

— No. 7. —

(No. 73.)

No. 7. Officer administering the Government to the Duke of Newcastle. 10 August 1854.

COPY of a DESPATCH from the Officer administering the Government, to the Duke of *Newcastle*.

Government House, Auckland,
10 August 1854.
(Received, 5 December 1854.)
(Answered, 8 December 1854, No. 39, page 39.)

My Lord Duke,

IN consequence of the tenor of the enclosed memorandum which was laid before me by the members of the Executive Council having seats in the Assembly, and which your Grace will perceive urged me to constitute and establish responsible government in New Zealand, without waiting for advice and instructions consequent on my despatches, Nos. 48, 49, and 55, forwarded for your Grace's information in June last, I assembled my Executive Council, on the proceedings of which will be found the views and sentiments of the Colonial Secretary, the Treasurer, and the Attorney-general.

Enclosure, No. 1. Memorandum, 1 August 1854.

Enclosure, No. 2. Extract from the Minutes of Executive Council of the 1st and 2d August 1854.

2. The Council, which assembled on the first of the month, adjourned to the following day, in order to give time for considering my reply to the demand made in the memorandum above referred to.

3. On the second meeting of the Council, I laid before the remaining members the resignation of the gentlemen named in the margin,* and the written opinion as regards my present peculiar position, and my determination to take no further steps in so important a subject, without the concurrence and approval of your Grace.

* H. Sewell.
F. A. Weld.
T. H. Bartley.

Enclosure, No. 3. His Excellency's reply to Memorandum, 1 August 1854.

4. Mr. Fitzgerald then tendered his resignation, and having intimated my acceptance of the whole four, I (with advice) requested an interview with Mr. E. G. Wakefield, in order to have the benefit of his advice in the course it might be advisable to pursue; that gentleman having been originally put forward by 29 out of 30 members in the House of Representatives as their leader in the movement, for obtaining the establishment of ministerial responsibility in the government of the colony, and having also been its prominent leader of the opposition to the late members of the Executive Council in the Legislature.

5. In order to preserve the utmost possible good feeling, and show all parties the straightforward course I had pursued from the first, I intimated to the Houses of Assembly my intention to furnish, by message, a statement of the case throughout (which statement is herewith enclosed for your Grace's information); and I trust it may not only prove satisfactory to your Grace, but strictly in keeping with the details already forwarded for special consideration, and

Enclosure, No. 4. Message, No 8, to the Legislative Council.

Message, No. 25, to the House of Representatives.

and moreover clearly show that the course I have pursued has been in accordance with the terms of the Constitution Act, conciliatory to the Houses of the Assembly, and at the same time becoming and respectful to the authorities at home.

I have, &c.
(signed) *R. H. Wynyard,*
Officer administering the Government.

Enclosure, No. 5. Extract from the "New Zealander," 12 August 1854.

P. S.—Since writing the above, I have seen by the newspapers that the member for Christchurch, one of the late members of the Executive, read in the House of Representatives a document, to the effect set forth in the enclosed extract, which not only corroborates the statements I myself sent in my Message No. 25, but clearly shows how necessary it was to make the stand I did.

R. H. W.

Enclosure 1, in No. 7.

Encl. 1, in No. 7.

Confidential Memorandum.

At the commencement of the present Session of the General Assembly, a debate took place upon a resolution asserting the necessity of a recognition of the principle of responsible government, in the sense in which that term is understood in the constitution of England, and has been recently acted on in all the British colonies in which representative institutions are established. That resolution, after a debate of several days, was adopted by the House of Representatives, with but one dissentient voice.

His Excellency, with the advice of his Executive Council, then determined to meet the views of the House, by admitting to the Executive Council three Members of the House of Representatives, who should hold their offices so long as they could command the assent of the majority of the legislative bodies; but it was understood, at the same time, that the arrangement then made should be considered to be a provisional one, as a step towards the final establishment of the new system of government so soon as the public service should render the complete change necessary. It was further determined that the Attorney-general, who had been appointed to be Speaker of the Legislative Council, should conduct the Government business in that house; and it was assumed that his position as Speaker would form no obstacle to his doing so. In a short time, however, the dissatisfaction of the Legislative Council at such an arrangement rendered it necessary that a fourth Member should be added to the Executive Council, with a seat in the Upper House, charged with the conduct of the Government business in that body. After full consideration, his Excellency coincided in the necessity of that arrangement.

In this manner the Government was conducted for some weeks with harmony and success. Several important Bills brought in by the Government, imperatively necessary for the consolidation and adjustment of the powers granted by the Constitution Act, were passed, or carried through several stages.

But as the Session advanced new circumstances arose. A formidable opposition was formed, which, although hitherto successfully met by the Government, rendered it more than doubtful whether the public business could be much longer conducted in the Houses of the Legislature, except by a strong and consistent Government, composed of the holders of the principal offices in the Executive. It became every day more apparent that the attempt to conduct the Government in the Legislative Houses of the Assembly by others than the heads of the principal departments, could not but fail, and that the temporary expedient adopted could not long succeed.

It is to be observed that that attempt was one never before tried, there being no instance of a Colonial Government being conducted in the Legislature except by the Executive officers of the Government in person.

The result of the proceedings of a Committee of the House on the subject of the public finances, and the statement of the public revenues and expenditure since the expiration of the last Appropriation Bill, 10 months ago, tended materially to lessen the confidence of the House and the public in the Government as at present constituted. The public have had before them, in a definite and tangible shape, the existence and the results of a policy in the management of the revenues, in the administration of the Crown lands, and in various departments of the public service, which are eminently distasteful to the great mass of the population.

The result has been the growth of a general feeling of insecurity in the minds of the public, both in and out of the Houses of the Assembly, as to the conduct of the public business of the country, and a general determination, which there is every reason to believe exists on the part, not only of the opponents of the Government, but also of its supporters in the House, not to grant the supplies necessary to carry on the service of the Government, unless upon the constitutional security (derived from the presence of the principal holders of office in the Houses of the Legislature, and the responsibility of their tenure of those offices)

offices) that the administration of the Government would for the future be conducted in accordance with the will of the Legislature.

This feeling has been increased by the consideration that in the Bills laid before the House of Representatives by the Government, it has been found necessary to ask for very considerable powers being entrusted to the Executive in the administration of the functions which those Bills propose to create; and it is argued, with reason, that the Legislature would not be justified in granting such extensive administrative power, unless ample guarantees were afforded that those powers would be exercised under the constitutional control of the Legislature.

Upon the whole, it is apparent that the government of the colony can be no longer conducted on the present footing, and it is more than probable that, should the present arrangements continue, a very serious difficulty will be experinced in obtaining the supplies for the public service.

The present holders of the unofficial seats in the Executive Council would be acting in neglect of their duty to his Excellency, to their constituents, and to themselves, did they continue to hold office under an arrangement of which the only result must be to embroil the Executive with the Legislature at a moment when the whole interests of the colony are deeply concerned in conducting the Government with harmony.

There appear to be but three courses open;—first, that the present unofficial members of the Executive Council should be replaced by others, should any such be found, who will accept seats on the understanding that the present arrangements shall be preserved; secondly, that the Government shall be restored to the old form, and shall be carried on without any unofficial members in the Executive Council; and thirdly, that the present holders of office should resign, and the Government be reconstituted on the ordinary responsible basis.

It is quite obvious that in the two first of these cases an immediate prorogation, probably a dissolution, of the General Assembly, must follow; and the Government of the colony must be carried on for many months longer without any legal appropriation of the public revenues. The organization of the public departments, consistently with the requirements of the new constitution, a measure loudly called for by the present state of all public business, must be delayed for an indefinite time; and a conflict fraught with danger to the peace and well-being of the colony, will inevitably arise between the general and provincial governments, a conflict which cannot but end in the augmentation of the powers of the latter to such an extent as seriously to endanger the unity of the colony as a whole.

The third course proposed will have an exactly opposite result. The present holders of office have already signified their readiness to retire; it is understood as a *sine qua non*, that proper pensions shall be provided for them on so doing. The principle is admitted that the tenure of these offices is to be changed as soon as the service of the country shall demand it. That is asserted by the Executive Government Bill now before the House. The only question left is one of time; and the consideration, it is presumed, is not one of such importance as to justify the risk of such grave consequences as delay may produce.

Under these circumstances it is submitted that the wisest course, the course most consistent with the best interests of the country, would be that the present holders of office should place their resignations at his Excellency's disposal, and that so soon as the Executive Government Bill shall have passed, his Excellency should accept their resignations, and shall appoint to the offices of Government under that Bill, such persons having seats in the Houses of the Legislature as he may deem best able to conduct the affairs of Government in accordance with the wishes of the Legislative bodies.

(signed) *James Edward Fitzgerald.*
Fred. A. Weld.
J. H. Bartley.
Henry Sewell.

Enclosure 2, in No. 7.

EXTRACT from Minutes of the Executive Council, of the 1st and 2d of August 1854. Encl. 2, in No. 7.

His Excellency requested the opinion of the Council upon the following memorandum which he had received from the Legislative Members of the Executive Council, viz.:

[For Memorandum, see Enclosure No. 1 of this despatch.]

The Colonial Secretary stated, in order that no difficulty should stand in the way of the establishment of ministerial responsibility, as far as depended upon himself, he begged to tender the resignation of his office, in the following letter, namely:

Colonial Secretary's Office, Auckland,
1 August 1854.

Sir,

HAVING concurred with the other Members of the Executive Council in advising your Excellency to take such steps as may be in your power, for securing the representation of the Government in the Legislature by persons having seats in the Assembly, I have now the

the honour to tender the resignation of my office as Colonial Secretary of New Zealand, which I have held for a period of upwards of 10 years; in order that, so far as depends upon myself, no difficulty may stand in the way of the attainment of a great public object, and I have to request that your Excellency will be pleased to accept my resignation as early as the public service will permit, in order that my appointment may interpose no difficulty in the way of the establishment of ministerial responsibility in the conduct of public affairs.

I have, &c.
(signed) *Andrew Sinclair,*
Colonial Secretary.

To his Excellency
The Officer administering the Government.

The Attorney-general stated, that if in the opinion of the Legislative Members of the Legislative Council, it would tend to facilitate the conduct of the public business through the Legislature during the present Session, the Attorney-general will place them in a position to state to the Assembly, that he has already forwarded to the Secretary of State, through his Excellency, the resignation of his office, in order that, so far as may depend upon himself, a full and fair trial may, as early as possible, be made of the principle of ministerial responsibility in the conduct of the Government.

(signed) *William Swainson,*
Attorney-general.

1 August 1854.

The Attornoy-general added, that even pending the acceptance of his resignation by the Secretary of State, he would be prepared to retire from office whenever the head of the Government would undertake the responsibility of relieving him from the discharge of its duties.

The Colonial Treasurer stated, that he would adhere to the original statement made by him on the 10th of June last.*

His Excellency then stated, that he would be prepared to accept the resignation now tendered by the Colonial Secretary so soon as fitting provision should be made for his retirement, and to appoint in his place some Member of the Legislature.

But that as to the Attorney-general, and the Colonial Treasurer, as they hold Crown appointments, he should not be prepared to accept their resignations, so long as he was only the temporary administrator of the Government, or until he should be authorised to do so by the Secretary of State.

Mr. Fitzgerald, on the part of the new members of the Council, viz.: Mr. Weld, Mr. Sewell, and Mr. Bartley then stated, that they should not be able to carry on the business of the Government through the Legislature, unless the resignations of the original members of the Council, namely, the Colonial Secretary, the Attorney-general, and the Colonial Treasurer, should be placed in the hands of his Excellency, and that his Excellency would be prepared to accept them after the Executive Government Bill should have passed, and before the end of the Session, should his Excellency be moved to do so by a majority of the Executive Council.

In order to give time for the consideration of the proposal thus submitted to him, his Excellency adjourned the Council until the following day at three o'clock.

2d August 1854.

With reference to the subject of the previous day's consultation, his Excellency informed the Council that Messrs. Weld, Sewell, and Bartley had resigned their seats as Members of the Executive Council, and laid their letters of resignation on the table, as follows:

Sir, Auckland, 2 August 1854.

I BEG respectfully to request that your Excellency will be pleased to accept the resignation of my seat in the Executive Council.

I have, &c.
(signed) *Henry Sewell.*

To his Excellency
The Officer administering the Government.

Sir, Executive Council Office, 2 August 1845.

As I feel that my presence in the Executive Council can no longer be of public service, I most respectfully beg to resign my seat in that Council into your Excellency's hands.

I have, &c.
(signed) *F. A. Weld.*

To his Excellency
The Officer administering the Government.

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* The statement of Colonial Treasurer, forwarded in Despatch, No. 49, 12 June 1854.

Sir, Auckland, 2 August 1854.

With every feeling of respect, I have to request that you will be pleased to accept the resignation of my seat in the Executive Council.

I have, &c.
(signed) *T. H. Bartley.*

To his Excellency
The Officer administering the Government.

His Excellency, with reference to the proposal submitted to him yesterday by the following Members of the Executive Council, viz.:—Messrs. Sewell, Fitzgerald, Weld, and Bartley, read the following statement to the Council:

Beyond the simple fact of accepting the resignation of the Colonial Secretary, and filling the position by a gentleman from the House of Representatives, I could not think of going. To require the holders of office to resign their posts till I am favoured with the views of the Crown on the steps I have taken, would not only be at variance with the original understanding, and beyond what I conceive my power to be, but a want of proper respect on my part to the home authorities.

On assuming my present office, I found three recognised Government officers as my advisers in the Executive Council. Circumstances occurred to induce me to introduce to that Council three Members from the House of Representatives, and subsequently a Member from the Legislative Council, making a majority of new members.

I found also, on coming into office, the old form of general government in existence; I am now called upon to form an entire new form of government without even a reference to my Sovereign, thus throwing on me, during my temporary administration of the Government, a grave responsibility I am not prepared or disposed to bear.

I have sanctioned the link between the Assembly and the Government, by the introduction of four members into the Executive Council. I am prepared to accept the Colonial Secretary's resignation (subject to confirmation) if voluntarily laid before me, but I am not prepared to disturb the officers appointed by the Crown, or in any way to establish a new form of government in the colony of New Zealand without reference home.

If the formation of entire responsible government is in keeping with the views of the authorities at home, the arrangement is only a matter of time—a few weeks; if on the other hand, it is not the wish of the home Government, it is the more necessary I should wait instructions for my future guidance.

(signed) *R. H. Wynyard,*
Officer administering the Government.

1 August 1854.

Mr. Fitzgerald then handed to his Excellency the following letter of resignation, namely:

Sir, Auckland, 2 August 1854.

Having tendered to your Excellency such advice as I was conscientiously bound to tender, respecting the steps, which in my opinion, are absolutely necessary in order that the government of the colony may be conducted with harmony and benefit to the colonists, and your Excellency having deemed yourself bound to reject such advice, I have the honour to request that your Excellency will be pleased to accept of my resignation of a seat in the Executive Council.

I have, &c.
(signed) *J. E. Fitzgerald.*

To his Excellency
The Officer administering the Government.

(True extract.)

(signed) A. J. Richmond,

Acting Clerk of Executive Council.

Enclosure 3, in No. 7.

Reply to Memorandum of the 1st August of 1854. Encl. 3, in No. 7.

Beyond the simple fact of accepting the resignation of the Colonial Secretary, and filling the position by a gentleman from the House of Representatives, I could not think of going. To require the holders of office to resign their posts till I am favoured with the views of the Crown on the steps I have taken, would not only be at variance with the original understanding, and beyond what I conceive my powers to be, but a want of proper respect on my part to the home authorities.

On assuming my present office, I found three recognised Government officers as my advisers in the Executive Council. Circumstances occurred to induce me to introduce to that Council three Members from the House of Representatives, and subsequently a Member from the Legislative Council, making a majority of new Members.

I found, also, on coming into office, the old form of general government in existence; I am

I am now called upon to form an entire new form of government without even a reference to my Sovereign; thus throwing on me, during my temporary administration of the Government, a grave responsibility I am not prepared or disposed to bear.

I have sanctioned the link between the Assembly and the Government by the introduction of four Members into the Executive Council, I am prepared to accept the Colonial Secretary's resignation (subject to confirmation) if voluntarily laid before me; but I am not prepared to disturb the officers appointed by the Crown, or in any way to establish a new form of government in the colony of New Zealand without reference home.

If the formation of entire responsible government is in keeping with the views of the authorities at home, the arrangement is only a matter of time—a few weeks; if on the other hand, it is not the wish of the home Government, it is the more necessary I should wait instructions for my future guidance.

(signed) *R. H. Wynyard,*
Officer administering the Government.

Government House,
Auckland, 1 August 1854.

Enclosure 4, in No. 7.

Encl. 4, in No. 7.

NEW ZEALAND.

LEGISLATIVE COUNCIL.

MESSAGE of his Excellency the Officer administering the Government on the Resignation of Ministers.

Message, No. 8—25.

THE Officer administering the Government, with reference to the resignation of their seats in the Executive Council by Mr. Fitzgerald, Mr. Weld, Mr. Sewell, and Mr. Bartley, and in compliance with the promise made by his message of the day before yesterday, proceeds to explain to the Legislative Council, as fully as the time will allow, his views and wishes with regard to the relations of the Executive towards the two Houses of the Legislature during his accidental and temporary administration of the Government.

He trusts that the Council, not less conscious than himself of the grave importance of the present crisis in the affairs of the colony, will give to the whole subject the same calm and deliberate consideration as he has himself bestowed upon it.

He begs of the Council to revert to the position in which he was placed when his Excellency the Governor departed from the colony.

The very title of the office which then devolved upon him shows that the only duties which it was absolutely incumbent on him to perform were those of administering the Government for a brief period; that is, only for the purpose of maintaining the ordinary routine of public business until he should be relieved by the arrival of a regularly appointed Governor, not owing his authority to the accident of his being the senior officer in command of the troops, but obtaining it from the deliberate confidence of Her Majesty.

But the Officer administering the Government did not confine himself within the safe and easy limits of attending only to established routine. Impressed with a belief that the colony both needed and desired legislation without delay by the General Assembly, he took upon himself, contrary to general usage as respects the functions of mere administrators of colonial governments, to convene the Parliament of the colony. For having spontaneously incurred this unusual responsibility, the House of Representatives saw fit to convey to him an expression of their thanks in the following words:—"Entirely appreciating the difficulty of your Excellency's position, and the responsibility of initiating a course of policy during your temporary administration of the Government, we desire to record our deep and lasting sense of the great benefit which your Excellency has conferred on the colony by convening the General Assembly at the earliest possible period after it became your duty to assume the government of New Zealand."

This was said in answer to the speech by the head of the Government whereby the Session was opened; and it therefore indicates, by the complimentary allusion to the initiation of a policy by him, that ministerial responsibility was not at that moment in the contemplation of the House. Presently afterwards, however, and very suddenly, that question became so prominent as to exclude every other subject from the consideration of the House. This question involves principles which, when viewed as practically applicable to this colony, were entirely new to the Officer administering the Government, as, down to a time not long preceding the convention of the Assembly, those principles had been to the thoughts of the colonists, with the exception of a very few of the most active political minds. When, however, that question was brought before him in a practical form, and by means of proceedings in the House which could not but command his most serious attention, he examined it with care; and, becoming satisfied that a concession of the principle was both desirable in itself on general grounds, and necessary in order to preserve harmony between the organ of the Crown and the representatives of the people, he resolved to comply with the wishes of the House. But that resolution on his part was limited by the condition that, when fully admitting

admitting the principle, he should give immediate effect to it so far only as he could do so constitutionally. On an examination of the Constitution Act with this especial view, it became manifest, in the first place, that the Act of the Imperial Parliament makes no specific provision for ministerial responsibility in the exercise of the Governor's functions; and, secondly, that it does contain a provision whereby the same validity is given to certain existing Royal Instructions as if they had been part of the Act itself. Throughout the discussions on this subject, whether in the Houses of the Legislature or in the Executive Council, the constitutional force of these Royal Instructions has been taken for granted by everybody. The Officer administering the Government was led to believe that those Instructions absolutely preclude him from establishing ministerial responsibility in a complete form, and, in particular, by forbidding him to disturb any tenure of office derived from Her Majesty's sign manual, until he shall receive from Her Majesty express direction or permission to set aside appointments made by herself. Accordingly, when the Officer administering the Government held communication with gentlemen supposed to enjoy the confidence of the House, with a view to the introduction into the Executive Council of some Members of the House of Representatives, he made them fully and distinctly acquainted with his opinion as to the limits of his power with regard to actual holders. In that opinion he supposed those gentlemen to concur without qualification or reserve; and, on the basis of that opinion, ministerial arrangements were made, which are described by the correspondence that took place at the time, a copy of which, numbered 4 and 5, is appended to the message. Those documents were laid before the House of Representatives, who, after ample discussion of the new ministerial arrangements, expressed to the Officer administering the Government, by a formal address (No. 6), the high satisfaction and deep sense of obligation towards him with which they regarded his prompt and unreserved compliance with their desire that ministerial responsibility in the conduct of legislative and executive proceedings by the Governor should be established without delay. The practical limits of the concession of the principle were as cordially accepted by the House as by the new Ministers themselves.

This arrangement, completed on the 14th of June, appeared to give universal satisfaction, until, on or about the 29th June, the Ministers asked the Officer administering the Government to exceed that arrangement by adding to the Executive Council a Member of the Legislative Council, who might thus represent the Government in the latter body. In order to facilitate the transaction of legislative business, the Officer administering the Government instantly complied with this request; and in doing so he exceeded the original ministerial arrangement by giving to the new advisers of the Governor a majority in the Executive Council.

Again, when Mr. Bell, the Member of the Executive Council who had been so appointed, was called away by domestic circumstances immediately after having appeared in the Legislative Council as a responsible adviser of the Crown, the Officer administering the Government instantly and cheerfully assented to the appointment of Mr. Bartley as a Member both of the Executive and of the Legislative Councils.

So far as the Officer administering the Government was ever informed, these arrangements were satisfactory, and effectual for the purposes with which they were made, until about the beginning of last week, when observations were orally addressed to him by some of the new members of the Executive Council, which implied that they were discontented with their actual position, and desirous of some change in the direction of that complete responsible government, which exists when all the members of the Executive Council belong to one party and are liable to removal on party grounds. But it was not until Saturday last, the 29th July that any precise intimation of the new desire of Mr. Fitzgerald and his colleagues was conveyed to the Officer administering the Government. On that day they were requested to state their wishes precisely in writing. On Tuesday, the 1st of August, they sent to him the memorandum (which not being dated is marked A), which calls upon him to establish responsible government in the most comple form, and instantly, or to expect that four gentlemen by whom the memorandum is signed, will immediately resign their seats in the Executive Council. That document, he must confess, caused him surprise as well as much regret. Though the ministerial arrangements of the 14th of June had then lasted about eight weeks, he had never till about a week before, and never at all in any precise manner, been informed that there existed any such difficulties and troubles as those described in the memorandum; and least of all was he conscious that, as is stated in the memorandum, the House of Representatives was disposed to adopt that last resource of a representative body when wronged by the Executive; that of stopping the supplies. He alludes with reluctance to these alarming, not to say threatening, passages in the memorandum, lest the House should imagine that they may in some degree have biassed his mind towards the conclusion that he ought not to comply with the call made upon him. He assures the Council that they have had no such influence, but that he refused (by his memorandum of the 2d of August) to comply with that call, influenced solely by the consideration that his duty as the administrator of a government which has written constitutional rules for its guidance, forbade him on Wednesday last, as it had forbidden him nine weeks before, to think of dismissing, without Her Majesty's consent, any officer holding his appointment directly from Her Majesty. The case of the Colonial Secretary differed from that of the other officers, inasmuch as that gentleman did not hold his appointment directly from Her Majesty; wherefore the administrator of the Government being most anxious to make every concession to the new Ministers which he could feel was not inconsistent with his sense of right, was much pleased to find that a desire on the

part of Dr. Sinclair to aid in averting any serious difference between the new Ministers and the head of the Government, had induced that gentleman to tender the unconditional resignation of his office, even before the promised pension was secured to him by law. In so far, the state of matters on the 2d of August was considerably improved in comparison with the arrangements made eight weeks before; a step in advance towards the complete establishment of responsible government was actually taken; the office of Colonial Secretary was laid open to be filled by a Member of either Legislative House. Nor was this the only concession made to Mr. Fitzgerald and his colleagues. They were informed, that the Attorney-general intended and was ready to despatch to England the resignation of his office. The Officer administering the Government trusts that the Council will mark these facts. In all other respects matters were in the same state when Mr. Fitzgerald and his colleagues resigned their appointments, as when they accepted them, knowing exactly the constitutional position and personal sentiments of the Officer administering the Government. During the long interval they enjoyed his unlimited confidence, and never offered to him a suggestion which he did not readily accept. Neither, during that interval, did he ever think of exercising his authority independently of their advice. In all respects, he faithfully adhered to the original arrangement; and now, when they depart from it by suddenly asking him to set it at nought, he has but one reply to make—that his sense of duty and honour absolutely forbids him to comply with the request. He feels that he should be wanting in candour towards the Council if he hesitated to state to them in the plainest terms the settled conviction of his mind, that by yielding at all on the point of duty, he should deserve the censure of Her Majesty, and should incur the disapprobation of the colonists of New Zealand, for having degraded [the office, the honour of which has been accidently entrusted to his care.

Note.—The words within brackets were forwarded to the House of Representatives after the remainder of the Message, in addition, and as an amendment to a clerical error in the original copy.

At the same time, he is very desirous that his difference with the late members of the Executive Council should not grow into a difference with the House. He therefore requests the attention of the Council to certain facts which seem to him to have an important bearing on the question which the Council will have to determine. He begs of them to observe that the Executive Government] Bill, the passage of which into law was, by the original ministerial arrangement, announced to the House on the 15th June, made a condition of the retirement of the Attorney-general and Colonial Treasurer when Her Majesty's assent thereto should be obtained, has not passed, in the House of Representatives, beyond the stage of being read a second time; and that, from the date of that proceeding, namely, the 27th June, the measure appears to have remained in a state of abeyance and oblivion. The memorandum of Mr. Fitzgerald and his colleagues, of the 1st August, speaks of a "formidable opposition" which they encountered in the Houses of the Legislature, and which threatened to put a stop to the public business. This fact was first brought to the knowledge of the Officer administering the Government by the memorandum in question. Till he read that document, he had been led to believe that the Ministers were steadily supported in the House of Representatives by large majorities; and though he was aware that their proposals were sometimes criticised and opposed by small minorities, he imagined that such opposition arose from the natural working of representative institutions, and was not merely harmless, but serviceable as the means of subjecting important legislative measures to scrutiny by the elected guardians of the public interests. With respect to the Legislative Council, he has been assured not only that it has exhibited no organized opposition to the measures proposed by the Government, but that, on the contrary, a member of the Government in the House of Representatives, speaking in that House, recently thanked the Legislative Council for having improved some measures sent to them by the Representative House, and expressed his hope that they would continue to afford such valuable assistance in the work of legislation. The Officer administering the Government assures the Council that he was never by anybody told of any formidable opposition to the Government in either House of the Legislature, and that he is still at a loss to understand the statement, with regard to such opposition, in the memorandum of Mr. Fitzgerald and his colleagues. He was also totally unconscious that the House of Representatives had exhibited any disposition, still less a general determination, not to grant the supplies necessary for carrying on the service of the Government, unless he should consent to a total departure from the ministerial arrangements for which the House had expressed to him its warmest thanks. At any rate, these facts were suddenly communicated to him, and so much in the form of pressure upon his judgment that he could not be blind to a sudden change of mind on the part of the authors of the memorandum. He could not doubt that, for reasons of which he was himself unconscious, they had repented of their consent to the original ministerial arrangement, and that they were insisting, and with something like a threat of deplorable consequences if he refused, on obtaining far more than the agreement into which they had deliberately entered with him. Nor could he fail to be struck with the manner in which the resignations of those gentlemen were presented to him. It was settled on Tuesday the 1st August, that the final consideration of the difference between them and him should take place at a meeting of the Executive Council at three o'clock on Wednesday the 2d. But before noon on that day, Mr. Sewell's resignation was delivered, and it was followed, after an interval, but before three o'clock, by those of Mr. Weld and Mr. Bartley. At the appointed meeting for three o'clock, Mr. Fitzgerald alone attended; and it was only when the Officer administering the Government declared that his opinion was unchanged, thereby showing that the successive resignations of Mr. Sewell, Mr. Weld, and Mr. Bartley, had not affected his judgment, that Mr. Fitzgerald then and there wrote and presented his own resignation.

The

The above statement of facts, which are within the knowledge of the Officer administering the Government, will, he trusts, satisfy the Council, that it is not their duty to sustain the late Ministers in their difference with him. For two reasons in particular, he should feel deep regret if their natural feelings of disappointment at the present stoppage of the business of the Session, and at the present downfall of such ministerial responsibility as he can consent to, should induce them to view his conduct in an unfavourable light. In the first place, he cannot conceal from himself that, if the Council should deliberately adopt the memorandum of the 1st of August, the unhappy events which are therein hypothetically predicted, or, at any rate, events which it is equally painful to contemplate, could scarcely be averted, whilst unquestionably the Session would be lost, and long delays must ensue before the colony could reap the benefits of legislation by its General Assembly. Secondly, though this, he acknowledges, is quite a minor consideration, and one which he is not entitled to press on the notice of the Council, he should himself incur a severe disappointment of the pride and pleasure which he has felt in supposing that the successful initiation, at least, of responsible government would take place during his tenure of office as Her Majesty's representative in New Zealand.

He earnestly implores the Council to weigh with calmness and circumspection the question which this message submits to them; and he relies with confidence on their being desirous of at least attempting to get through the Session beneficially for the colony, by the aid of that amount of ministerial responsibility more than which it is not at present in his power to aid in establishing, and which, by their address to him of the 21st June, they declared to be satisfactory under the circumstances. And he hereby engages to take into his most serious and favourable consideration any suggestion having that object in view, which they may please to present to him, either by address, or through a member of the House enjoying his confidence.

He suggests that, at any rate, the House should pass a measure for the complete establishment of responsible government, similar in principle to those which are known to have been framed by the Legislatures of Jamaica, and one or two of the Australian colonies. Such an Act, it is scarcely necessary for him to add, must of course be reserved for Her Majesty's assent, according to the provisions of the Constitution Act.

The Officer administering the Government cannot but express his persuasion that, under any circumstances, the Council will be indisposed to separate without adding some useful measures to the very small amount of legislation which has as yet been accomplished; without making some provision for the appropriation of the public revenues between the general and the provincial Governments; or without settling, though in an imperfect manner, and for but temporary purposes, other questions of a very urgent character.

In order that the Council may have before them at one view all the documents which relate to the subject of this message, they will be appended to it in the order of their dates.

In communicating with the Council by message on the subject of a ministerial crisis, the Officer administering the Government has been guided by numerous precedents, and more especially by the example of the late Lord Metcalfe; who, as Governor of Canada in 1843, upon the resignation of a ministry, conducted all communications between himself and the House of Assembly on the subject, by means of original messages from himself, and messages in answer to addresses from the House. Copies of the voluminous documents in question are now in the hands of the Officer administering the Government.

Finally, the Officer administering the Government declares to the Council his unaltered adherence to the principle of responsible government; and he once more assures them of his most earnest hope that the limited practical application of that principle, which, from first to last, he has asserted his inability to exceed, may not be rejected by them. He, therefore, again expresses his trust that the Council may see fit to abstain from coming hastily to any conclusion on the subject of this message, but may, on the contrary, bestow upon it the calm and patient consideration which it has received from himself.

(signed) *R. H. Wynyard,*
Officer administering the Government.

Government House, Auckland,
5 August 1854.

Sub-Enclosures to Enclosure 4, in No. 7.

No. 1.

To his Excellency the Officer administering the Government of the Islands of New Zealand.

May it please your Excellency,—

We, the House of Representatives of New Zealand, in Parliament assembled, desire to express to your Excellency our grateful thanks for the address with which your Excellency has been pleased to inaugurate the opening of the first General Assembly of New Zealand.

We cordially unite in the language of congratulation with which your Excellency has been pleased to refer to the prosperity which pervades all parts of this colony; and we desire to add our own testimony, derived from personal acquaintance with the various provinces, to the justice of your Excellency's expressions. We entertain the strongest convictions that under the liberal institutions which have been bestowed on this colony by the English Parliament, that prosperity will be fostered and extended.

Entirely appreciating the difficulty of your Excellency's position, and the responsibility of initiating a course of policy during your temporary administration of the Government, we desire to record our deep and lasting sense of the great benefit which your Excellency has conferred on the colony by convening the General Assembly at the earliest possible period after it became your duty to assume the Government of New Zealand.

We feel that it would be premature at so early a period of the Session to enter upon all the various subjects to which your Excellency has been pleased to direct our attention; but we desire to express our earnest wish to co-operate, in the most cordial manner, with your Excellency, in carrying into effect whatever policy may be ultimately determined on as most beneficial to the colony at large, and to the several provinces of which it is composed, and to assure your Excellency that whatever measures may be submitted to the House by your Excellency's Government, shall receive their most respectful and patient consideration.

(signed) *Charles Clifford,*
Speaker of the House of Representatives.

No. 2.

[Attorney-General's Opinion, will be found at page 2 of this Paper, forming Enclosure, No. 2, to Acting Governor's Despatch, No. 48, 9 June 1854.]

No. 3.

To His Excellency the Officer administering the Government of the Islands of New Zealand.

May it please your Excellency,

We, the House of Representatives, approach your Excellency for the purpose of submitting to you the accompanying resolution which has been adopted by this House, and we respectfully pray that your Excellency may be pleased to take it into your serious and early consideration.

(signed) *Charles Clifford,*
Speaker.

House of Representatives, Auckland,
6 June 1854.

Resolved, Tuesday, 6 June 1854.

That a respectful address be presented by the Speaker to the Officer administering the Government, praying that his Excellency will be pleased to take the following resolution into his serious and early consideration, viz.: "That amongst the objects which this House desires to see accomplished without delay, both as an essential means whereby the general Government might rightly exercise a due control over the provincial Governments, and as a no less indispensable means of obtaining for the general Government the confidence and attachment of the people, the most important is the establishment of ministerial responsibility in the conduct of legislative and executive proceedings by the Governor."

(True extract.)

(signed) *Charles Clifford,*
Speaker.

Message, No. 3.

Government House, Auckland, 7 June 1854.

The Officer administering the Government has received the address of the House of Representatives, praying that he will be pleased to take the following resolution into his serious and early consideration: "That amongst the objects which this House desires to see accomplished without delay, both as an essential means whereby the general Government may rightly exercise a due control over the provincial Government, and as a no less indispensable means of obtaining for the general Government the confidence and attachment of the people, the most important is the establishment of ministerial responsibility in the conduct of legislative and executive proceedings by the Governor."

The Officer administering the Government, begs to assure the House that he will approach the consideration of the subject with a sincere desire to give effect, as far as it may be in his power to do so, to the views of the House embodied in the above resolution.

(signed) *R. H. Wynyard,*
Officer administering the Government.

To the Honourable the Speaker
of the House of Representatives.

Resolved, Wednesday, 7 June 1854.

That this House desires to record the expression of its highest satisfaction with the message this day read from his Excellency, the Officer administering the Government, in reply to the address of the House on the subject of ministerial responsibility.

(True extract.)

(signed) *Charles Clifford,*
Speaker.

Nos. 4 and 5.

[LETTER from *James Fitzgerald*, Esq., dated 10th June 1854, and reply of Acting Governor *Wynyard*, 10th June, will be found at page 5 of this Paper, Enclosures to Acting Governor's Despatch, No. 49, 10 June 1854.]

No. 6.

To his Excellency the Officer administering the Government.

THE House of Representatives humbly approach your Excellency the Officer administering the Government, and pray that your Excellency will be pleased to accept an expression of the high satisfaction and deep sense of obligation towards you with which this House has regarded your Excellency's prompt and unreserved compliance with their desire, that ministerial responsibility in the conduct of legislative and executive proceedings by the Governor should be established without delay.

(signed) *Charles Clifford*,
Speaker.

House of Representatives, Auckland,
21 June 1854.

No 7, or A.

[CONFIDENTIAL MEMORANDUM.—This Memorandum will be found printed at page 10.]

No. 8.

Colonial Secretary's Office, Auckland,
1 August 1854.

Sir,

HAVING concurred with the other members of the Executive Council in advising your Excellency to take such steps as may be in your power for securing the representation of the Government in the Legislature by persons having seats in the Assembly, I have now the honour to tender the resignation of my office as Colonial Secretary of New Zealand, which I have held for a period of upwards of 10 years, in order, that as far as depends upon myself, no difficulty may stand in the way of the attainment of a great public object; and I have to request that your Excellency will be pleased to accept my resignation as early as the public service will permit, in order that my appointment may interpose no difficulty in the way of the establishment of ministerial responsibility in the conduct of public affairs.

I have, &c.
(signed) *Andrew Sinclair*,
Colonial Secretary.

No. 9.

IF in the opinion of the legislative members of the Executive Council it would tend to facilitate the conduct of the public business through the Legislature during the present session, the Attorney-general will place them in a position to state to the Assembly that he has already forwarded to the Secretary of State through his Excellency the resignation of his office, in order that, so far as may depend upon himself, a full and fair trial may as early as possible be made of the principle of ministerial responsibility in the conduct of the Government.

(signed) *William Swainson*,
Attorney-General.

1 August 1854.

No. 10.

Sir,

Auckland, 2 August 1854.

I BEG respectfully to request that your Excellency will be pleased to accept the resignation of my seat in the Executive Council.

I have, &c.
(signed) *Henry Sewell.*

His Excellency the
Officer administering the Government.

No. 11.

Sir,

Executive Council Office, 2 August 1854.

As I feel that my presence in the Executive Council can no longer be of public service, I most respectfully beg to resign my seat in that Council into your Excellency's hands.

I have, &c.
(signed) *Frederick Weld.*

His Excellency the
Officer administering the Government.

No. 12.

Sir, Auckland, 2 August 1854.

With every feeling of respect, I have to request that you will be pleased to accept the resignation of my seat in the Executive Council.

I have, &c.
(signed) *T. H. Bartley.*

His Excellency the
Officer administering the Government.

No. 13.

[Acting Governor's Reply to Memorandum of 1st August 1854, will be found printed at page 13 of this Paper.]

No. 14.

[Letter from *J. Fitzgerald*, Esq., dated 2 August 1854, will be found printed at page 13 of this Paper.]

Enclosure 5, in No. 7.

Encl. 5, in No. 7.

Extract from the "New Zealander," of the 12th of August 1854.

Memorandum.

Auckland, 2 August 1854.

I understand the effect of what took place at the meeting of the Executive Council yesterday to have been as follows:

The responsible members of the Executive Council submitted to his Excellency their reasons for considering it necessary to adopt without further delay the full principle of responsible government, and to appoint to the offices of Attorney-general, Colonial Secretary, and Colonial Treasurer, gentlemen possessing the confidence of the House of Representatives. At the same time they stated it might not be necessary to displace the present officers immediately, but that the House of Representatives might be satisfied to allow matters to remain till the end of the session, upon the clear understanding that a permanent government should be formed on the principle of responsibility.

To this his Excellency replied, that such immediate adoption of the full principle of responsible government was going beyond the terms of his first arrangement. He understood that the present arrangement might continue till the contemplated change was sanctioned by the Home Government, and he urged that it was hard on him as mere temporary administrator of the Government to compel him to take a step which might be disapproved of. He stated that the Colonial Secretary had already tendered his resignation, which he held in his hand ready to be accepted so soon as the Executive Government Bill was passed providing retiring pensions; and this he considered to be a reasonable instalment of the principle, and a guarantee of his own good faith.

The Attorney-general stated, that if it were any satisfaction to the House, it might be assured that he had transmitted, or was prepared to transmit, his resignation to the Duke of Newcastle, and that so soon as such resignation should be accepted from home, he was prepared to retire. That in the meantime he would offer no obstruction to the measures of the responsible members of the Government, but he would not feel justified in retiring at once, or before such sanction should have been received from home.

The Colonial Secretary confirmed what his Excellency had stated as regards himself.

The Colonial Treasurer referred to his former proposal, which he explained as follows, viz., that he would be prepared to retire when the public service required it, and so soon as his resignation should have been accepted by the authorities in England, but not before.

The Attorney-general, Colonial Secretary, and Colonial Treasurer, stated that they could not advise his Excellency to accept of the resignations of the above-mentioned officers upon other terms, or in a different way, and they would not advise him to remove the officers by his own authority.

I replied for myself, that I clearly understood when I took office, that the old officers were prepared generally to resign when the public service required it; that I never contemplated such conditions, particularly as regards time, the effect of which would be to postpone altogether the question of responsible government.

I further pointed out that as regards the office of Colonial Treasurer it would be practically impossible to carry on the government without that office being at disposal.

We all pointed out that the question was no longer one of opinion as to what might be desirable, but one of necessity. That the House could not accept less than a completely responsible government; that they would refuse to pass Bills, and refuse supplies; and that we could not consistently urge them to do otherwise, seeing that they were about to transfer such large powers to the executive.

Mr. Fitzgerald stated that recent circumstances, particularly relating to finance and land dealings, had made the House very jealous, and that a new and formidable opposition had arisen,

arisen, which rendered it indispensably necessary to strengthen the government by all means. We all stated our determination not to carry on the present government on the present footing.

The conference ended without coming to any definite conclusion; all parties remaining at the last precisely where they began.

Assuming the matter to remain in *statu quo*, and as the House will go into committee on the Executive Government Bill this evening, before which it is necessary to define exactly the position of the Government, I have thought it right to request Mr. Fitzgerald to relieve me from my obligation to him as a member of the government, and to place in his Excellency's hands the resignation of my seat in the Executive Council.

— No. 8. —

(No. 74.)

No. 8.
Officer administering the Government to the Duke of Newcastle.
11 August 1854.

COPY of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle*.

Government House, Auckland,
11 August 1854.
(Received, 5 December 1854.)
(Answered, 8 December 1854, No. 39, page 39.)

My Lord Duke,

IN reference to my despatch of yesterday's date, in which I endeavoured to keep your Grace thoroughly acquainted with all the particulars connected with the constitutional arrangements in this colony up to the date in question, I now do myself the honour of transmitting the copy of a most satisfactory and gratifying address I have this day received from the Legislative Council; an address that conveys entire approval of every step I have taken, urges adhesion to the course I have adopted, and promises every assistance towards carrying out to a practical issue the measures already in progress, and further urges on Her Majesty's favourable consideration the humble prayer of the Council that a full measure of responsible government may be conferred on the colony of New Zealand.

Legislative Council Chamber, Auckland, 10 August 1854.

I have, &c.
(signed) *R. H. Wynyard*,
Officer administering the Government.

Enclosure in No. 8.

Encl. in No. 8.

To his Excellency Lieutenant-Colonel *R. H. Wynyard*, C.B., the Officer administering the Government of New Zealand, &c. &c.

May it please your Excellency,

WE, the Legislative Council of the General Assembly of New Zealand, respectfully acknowledge the receipt of your Excellency's message, No. 8, transmitted to us on the 5th instant; and we beg to assure your Excellency that, in conformity with the request contained in it, we have taken that message into our calm and deliberate consideration.

2. We cannot but express our deep regret that circumstances should have occurred which have already had the effect of retarding, and which threaten altogether to prevent the passing of those legislative measures which the colony so urgently requires; circumstances which place the Parliament of New Zealand and the colony at large, in a most embarrassing and unsatisfactory position.

3. In compliance with the feeling of the House of Representatives, your Excellency, at the commencement of the Session, consented to an arrangement whereby certain gentlemen, Members of the General Assembly, were to be admitted into the Executive Council with a view to the conducting of the business of the Government through the Legislature, and at the same time the principle was admitted that those gentlemen should hold their seats in the Executive Council so long only as they should retain the confidence of the Legislature.

4. The Legislative Council was not invited to express any opinion as to the expediency of the arrangements which appear then to have been made, and it is only by the documents appended to your Excellency's message, No. 8, that we have become officially aware of the precise nature of those arrangements.

5. Looking at the position in which the General Assembly was placed, we do not hesitate to affirm that your Excellency exercised a sound discretion in adopting the steps which were then taken; although we soon afterwards felt ourselves called upon to express our want of approval of the manner in which these arrangements were attempted to be carried into practice.

6. We cannot, however, but feel that your Excellency, in your note of the 10th of June, a copy of which forms Enclosure No. 5, to the Message No. 8, conferred upon the colony of New Zealand the greatest measure of responsibility in the conduct of the legislative and executive proceedings of the Government, which under all the circumstances, your Excellency's limited authority enabled you, without raising grave questions of legality, to bestow.

7. We are most anxious that that measure should be continued to the colony; but that any further steps in that direction may await the sanction of Her Majesty, and we humbly request your Excellency will be pleased to urge on Her Most Gracious Majesty's favourable consideration our humble prayer, that a full measure of responsible government may be conferred on the colony of New Zealand.

8. We observe with much satisfaction, that your Excellency notices the fact that no indication of an organised opposition to measures proposed by the Government has been exhibited by the Legislative Council; and we trust that your Excellency is also aware that it has been our constant and earnest desire to render every assistance towards carrying out to a practical issue the measures submitted to our consideration.

9. We now beg most respectfully to urge upon your Excellency that you will be pleased to summon to the Executive Council, with as little delay as possible, some Members of the General Assembly possessing your Excellency's confidence, and who will at the same time hold their appointments so long only as they shall enjoy the confidence of the Legislature. And we make this suggestion in the hope that this first Session of the General Assembly may thus be prevented from terminating in a manner most unsatisfactory and highly prejudicial to the colony.

10. We trust we need hardly assure your Excellency of our most anxious desire to co-operate on all occasions with the other branches of the Legislature in promoting the real interests of the colony; interests which will ever continue to be the only object of our solicitude and care as Members of the Legislative Council of New Zealand.

(signed) *William Swainson,*
Speaker.

Legislative Council Chamber, Auckland,
10 August 1854.

— No. 9. —

No. 9.
Officer administering the Government to the Duke of Newcastle.
17 August 1854.

(No. 77.)

COPY of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle.*

Government House, Auckland,
17 August 1854.
(Received, 5 December 1854.)

My Lord Duke, (Answered, 8 December 1854, No. 39, page 39.)

* Page 14.

HAVING already conveyed to your Grace a copy of my Message,* No. 25, of the 5th instant, to the House of Representatives, in my despatch No. 73, I now do myself the honour to transmit a copy of an address, received from that body yesterday in reply.

Enclosure, No. 1.
Address from House of Representatives, 16 August 1854.

2. As this address purports to convey the ultimatum of the House, it became useless to attempt, under the existing state of things, to carry on the business of the Session to a satisfactory conclusion; and, with this impression, I brought the subject before the Executive Council for their consideration and advice. Having invariably acted with the full concurrence of the Members of the Executive in every particular, I was the more readily disposed to adopt their recommendation on the present occasion, especially as the Council decided that the Governor of New Zealand has not the power to establish the Executive Government on the basis of complete ministerial responsibility, and that they cannot recommend me, being in the position of temporary administrator of the Government, to take upon myself to change the character and composition of the Executive Government as now established. The recommendation of the Council above alluded to was, that the Houses of Assembly should be prorogued for 14 days, to enable me to adopt measures calculated to carry on the ordinary business of the Session, until final instructions may be received from your Grace on the subject of responsible government for this colony.

3. In reply to the Address of the 16th instant from the House, I, with advice, sent Message No. 32, followed by Message No. 33, conveying the proclamation proroguing the Assembly to the 31st of the present month (copies of which are enclosed),

enclosed), and to which date the Houses now stand prorogued. The delivering of Message No. 32 led, I regret to say, to a scene in the House, more calculated to mar the advancement of responsible government than anything that could have occurred, in an endeavour to overrule the standing orders of the House, so as to discuss the merits of that message, furnish an address in reply, and above all, postpone the attention to Message No. 33, containing the proclamation of prorogation.

Enclosure, No. 2. Messages, Nos. 32 and 33, to the House of Representatives, 17 August 1854.

4. I must not omit to enclose (in order to preserve the chain of events that has recently occurred) a copy of an intermediate message in reply to an address of the day previous, couched by me in equally conciliatory language, while at the same time pointing out the error the House had fallen into, and my steady adherence to the original course I considered it my duty to adopt.

Enclosure, No. 3. Message, No. 30, to the House of Representatives, 15 August 1854.

5. Notwithstanding these proceedings, of which I have endeavoured to furnish your Grace with but a faint outline, or the tenor or tone of the two last addresses from the House, I trust I may be permitted to urge upon your Grace's favourable consideration the subject of complete responsible government as pressed upon your notice from the commencement of the Session, and further to express an earnest hope that the wishes of the Parliament of New Zealand may, even now, have received Her Majesty's gracious approval, and that I may ere long have the pleasing task of conveying to the inhabitants of these islands the gratifying intelligence that this anxiously looked-for boon has been conceded by the Queen and the Parliament.

Enclosure, No. 4. Address from the House of Representatives, 9 August 1854.

I have, &c.
(signed) *R. H. Wynyard,*
Officer administering the Government.

Enclosure 1, in No. 9.

To his Excellency the Officer administering the Government of New Zealand, &c. &c.

Encl. 1, in No. 9.

May it please your Excellency,

We, the Commons of New Zealand, assembled in the House of Representatives, beg leave to acknowledge with sentiments of deep and sincere respect, your Excellency's very important Message (No. 25), on the subject of recent changes in the Executive Government, and the relations between your Excellency and the Legislature.

We can assure your Excellency of our earnest desire to give the earliest consideration to whatever matters may be submitted to us by or on behalf of your Excellency; but in approaching the subject of the message in question, our attention has been, in the first instance, directed to incidental matters to which we feel ourselves imperatively called on to advert.

The fact has been stated in this House, by a Member in his place, that the message in question has been presented to this House under his advice, he not being a sworn member of his Excellency's Executive Council.

The fact has also been stated in this House, by the same Member in his place, that under the present critical circumstances of the colony, and in reference to matters of the gravest importance relating to the Executive Government, your Excellency is acting under the sole and exclusive advice of that Member, without and apart from those Members of your Excellency's Executive Council, who are sworn to advise your Excellency rightly, and who alone are responsible for the advice they may give.

The fact has also been stated in this House by the same Member, in his place, that in a political crisis, and in reference to affairs demanding deep knowledge and careful consideration of the law, your Excellency is acting under the advice of that Member, without the advice and opinion of Her Majesty's Attorney-general.

We have heard the statements referred to with alarm, as tending to compromise the honour of your Excellency's Government, and fraught with peril to the colony.

Assuming the facts so stated to be true, we humbly but most earnestly pray your Excellency to take this, our respectful remonstrance, into your serious consideration. We can assure your Excellency, with the utmost sincerity, of our anxious desire in all things to mark our high respect for your person and office; at the same time, charged as we are with high constitutional privileges involving corresponding duties, we dare not hesitate to pray your Excellency, at this serious crisis of affairs, to have recourse to the advice of your Executive Councillors, who, by Her Majesty's instructions and the rules of the constitution, are appointed as your Excellency's advisers in all matters of importance; Councillors who are sworn to advise your Excellency rightly, and who will be responsible to Her Majesty, to your Excellency, to this House, and to the colony for the advice they may give.

Without presuming to question your Excellency's undoubted right to exercise, under ordinary contingencies, a free and unbiassed judgment upon matters of government policy, we

we nevertheless cannot but regard the subject of your Excellency's message, involving, as it does, the relations between the Executive and the Legislature, and affecting the whole state of political affairs at the present moment, as matters of such importance as to be unfit to be confided to an unofficial and irresponsible adviser, but rather as demanding recourse, on your Excellency's part, to your Excellency's sworn constitutional advisers. In the mean time we respectfully assure your Excellency that we will, at the earliest moment, proceed to consider the subjects referred to in your Excellency's message, with an anxious desire to co-operate with your Excellency by all constitutional means in averting the difficulties and dangers at present impending over the colony.

(signed) *Charles Clifford,*
Speaker of the House of Representatives.

House of Representatives, Auckland,
9 August 1854.

Enclosure 2, in No. 9.

Encl. 2, in No. 9.

MESSAGE, No. 30.

ON Thursday the 10th instant the Officer administering the Government received from the House of Representatives an address, dated the 9th, to which he would have replied without delay, if he had not at the same time been informed of the adjournment of the House until this day.

He rejoices at being able to dispose at once and entirely of the incidental matter to which the attention of the House has been directed from the consideration of the important subjects of his Messages, Nos. 24, 25 and 26.

Although he believes that under the Royal Instructions, which form part of the constitution of New Zealand, he should have been justified in treating the present critical state of affairs as one of those occasions on which it is competent to the Governor to act independently of his Executive Council, and to avail himself of any advice or assistance at his free discretion, bearing himself alone the entire responsibility of any act performed by him; yet happily there is no necessity for further explanation of his views on that point, since he is able to inform the House, that in every step taken by him during the present emergency, he has enjoyed the unqualified concurrence and support of his constitutional advisers.

The Officer administering the Government receives with pleasure the assurance of the House that they will, without further delay, proceed to consider the subjects of his Message, No. 25, because he is only waiting for the result of their deliberation thereon, in order to add some Members of the Assembly to the Executive Council, with the view of turning the remainder of the already protracted yet fruitless Session, to some good account for the people of New Zealand.

(signed) *R. H. Wynyard,*
Officer administering the Government.

Auckland, New Zealand,
15 August 1854.

Enclosure 3, in No. 9.

Encl. 3, in No. 9.

MESSAGE, No. 32.

THE Officer administering the Government has received an address from the House of Representatives, dated the 16th instant, in answer to his Message of the 5th instant (No. 25), and has bestowed upon the contents of that document the anxious consideration which his sense of their great importance to the colony demanded from him.

He will not permit the character of some of the statements and arguments which that address conveys to him to disturb the friendly sentiments towards the House of Representatives which he sincerely entertains, and considers it a duty to cultivate by all the means in his power. Controversy between the House and himself on portions of their address, which he cannot but feel to be objectionable, could produce no good result, and would probably lead to an increase of the evil which he deplores. He will not, therefore, allude further to the subject.

In the hope of securing harmonious relations between the Legislative and Executive branches of the Government, and in order to meet to the utmost of his power the wishes of the House with regard to the establishment of ministerial responsibility, the Officer administering the Government, at an early period of the Session, took upon himself the responsibility of making an important change in the composition of the Executive Council, and he hopes ever to recollect with pleasure the expression of the satisfaction of the House at his prompt compliance with their desire.

Avoiding, as worse than useless in the present state of affairs all reference to the subjects of his difference with the late Members of the Executive Council, the Officer administering the

the Government is, nevertheless, compelled to notice, and indeed to take as his guide the new position in which he and the House are placed by the new demand now presented to him in the following words:—

"We turn to the future, appealing to your Excellency under a deep and solemn conviction of the responsibility which rests no less upon your Excellency than upon ourselves under the present critical position of the colony. Dismissing all that has passed, we pray your Excellency to look at the question as now standing on new ground, and surrounded with new circumstances, and therefore justifying new concessions."

The concessions required being, in the last words of the address,—

"The immediate establishment of the Executive Government on the basis of complete ministerial responsibility."

By his Message No. 25, the Officer administering the Government informed the House that he believed himself to be absolutely precluded by the Royal Instructions from establishing ministerial responsibility in a complete form; and not anything contained in the present address from the House is calculated to lead him to a different conclusion. His sense of duty absolutely forbids him to make the concession now required, in terms of the most positive character; and he has only to repeat the settled conviction of his mind that, by yielding on the point of duty, he should deserve the censure of Her Majesty, and incur the disapprobation of the colonists of New Zealand.

It is therefore plain, that a difference has taken place between the House of Representatives and the Officer administering the Government, which is at this moment irreconcileable. The present address from the House, coupled with his own unaltered sense of duty to Her Majesty and the colony, leaves him without a hope of being able to restore for the present that kind of ministerial responsibility which recently gave so much satisfaction to himself and apparently to the House and the public. Neither adverting to the early proceedings of the House with regard to ministerial responsibility, to the whole character of the address now before him, and to the large majority by which it was adopted, can the Officer administering the Government think it possible that the House should carry on business without any ministerial communication between them and the head of the Government. He is painfully convinced that, as respects legislation for the service of the colony, the Session has come to an end.

Under these new circumstances, as produced by the new demand of the House, the ordinary duty of the Officer administering the Government would be to prorogue the Parliament indefinitely, and to submit the whole subject to Her Majesty and the Imperial Parliament. But as he has before, in his anxiety to do what he thought would be serviceable and very agreeable to the people of the colony, taken steps and incurred responsibility beyond the ordinary duty of an accidental and temporary administrator of the Government, so now, with the same disposition towards the colonists, he clings to the hope that legislation by the General Assembly may not be indefinitely suspended; and, trusting that a majority of the House may yet, after reflection, be willing to co-operate with him in passing laws which are greatly needed by the colony, he intends forthwith to prorogue the Parliament for but a short period, and to lay before them when they re-assemble his views of what the wants and best interests of the colony demand.

In the meanwhile it will be his endeavour to add to the Executive Council such a number of Members, being Members of the Legislature, as shall give to all the provinces an effectual voice and influence in both the legislative and executive proceedings of the head of the Government. And he further intends, with the view of accelerating as much as possible the establishment of complete ministerial responsibility in New Zealand, to despatch without delay to Her Majesty's Government an earnest request that they may be pleased, either by means of the Royal prerogative, or by the aid of Parliament, to enable the General Assembly to pass an effectual measure for establishing responsible government in this colony, according to the forms and usages of the British constitution. After the brief recess of the General Assembly, its two Houses will determine whether it may not also be expedient for them to concur with the Officer administering the Government in passing a Bill for the same purpose (which, of course, would be reserved for Her Majesty's assent), so that no means may be neglected of acquiring for the colony in the shortest possible time a political constitution, to which the House of Representatives do not attach more importance, and which they are not more desirous of obtaining for the colony, than the Officer administering the Government.

Government House, Auckland,
17 August 1854.

(signed) *R. H. Wynyard,*
Officer administering the Government.

MESSAGE, No. 33.

THE Officer administering the Government transmits to the House of Representatives a copy of the New Zealand Government Gazette, containing a proclamation proroguing the General Assembly until Thursday, the 31st instant.

Government House, Auckland,
17 August 1854.

(signed) *R. H. Wynyard,*
Officer administering the Government.

Enclosure 4, in No. 9.

Encl. 4, in No. 9.

To his Excellency the Officer administering the Government of New Zealand.

We, the Commons of New Zealand, in the House of Representatives assembled, humbly beg leave to address your Excellency in reply to Messages Nos. 25 and 26, presented to this House on the subject of the recent changes in the Executive Government, the relations between the Executive and the Legislature, and other matters of general policy.

We beg to repeat the assurance of our high respect for your Excellency's person and office, of our anxiety to co-operate with your Excellency in measures requisite for the public service, and of our earnest desire to reconcile unhappy differences, which threaten the peace of the colony. We trust that your Excellency will receive this, our humble address, as conceived in that spirit, and intended, as far as possible, to promote these objects.

Turning to the subject of those messages, we venture to remind your Excellency that the first act of this House, upon commencing its practical work, was to resolve, after careful and lengthened deliberation, in favour of the immediate establishment of the Executive Government upon the basis of ministerial responsibility. We do not repeat arguments which appeared to us, and were admitted by your Excellency, to be conclusive as to the wisdom and necessity of that policy. We embodied our sentiments in a respectful address to which we received a reply conveying the assurance of your Excellency's intention "to approach the consideration of the subject, with a sincere desire to give effect, as far as might be in your power to do so, to our views." Your Excellency now assures us that at that time, your Excellency's resolution was limited by the condition that, "while fully admitting the principle, you should give immediate effect to it only so far as you could do so constitutionally; and that on examination of the Constitution Act and Royal Instructions your Excellency was led to believe that those instructions absolutely precluded you from establishing ministerial responsibility in a complete form, and in particular, by forbidding you to disturb any tenure of office derived from Her Majesty's sign manual, until you should receive from Her Majesty express direction or permission to set aside appointments made by Herself." Your Excellency further states that such opinion as to the limits of your power was distinctly made known to those gentlemen who subsequently became Members of the Government.

We cannot but express our sincere regret that such your Excellency's resolution and opinion was not from the first made known to this House in a more clear and distinct form.

So far as we understand your Excellency as meaning that the present holders of office could not be removed against their will, until pensions should have been secured to them, this House has throughout assented to your Excellency's views, and governed its proceedings accordingly. But we understand your Excellency's meaning, as now conveyed to us, to have a far wider scope; that your Excellency considers yourself absolutely precluded from asking, or even accepting, the retirement of those officers without direct permission from Her Majesty, although the interests of the public service may imperatively demand their retirement, and though pensions may be secured to them.

We venture respectfully to express our dissent from that opinion, one which appears to this House to be at variance with all usage and law, inconsistent with the spirit, and against the letter of the Constitution Act; one which has never before been suggested to this House by your Excellency, or on your Excellency's behalf; one alike derogatory to the dignity of the Government itself, and subversive in the highest degree of the interests of the public service.

This House certainly never understood such to be your Excellency's meaning, nor would it have become a party to a permanent arrangement founded on that basis. It believed that the one great difficulty lay in the necessity of first securing pensions to the retiring officers. That difficulty was fully laid before us by your Excellency's late advisers in this House, and was fully recognised by us. Beyond this we do not perceive in the Constitution Act, or in the Royal Instructions, or in any of the documents appended to your Excellency's message, anything leading us, by natural inference, to conclude that the question of establishing ministerial responsibility in its completeness must be referred to England.

Had reference to England been considered as a condition precedent to the concession of complete responsible government, we cannot but think, that, in justice to this House, that condition should have been distinctly stated. It would have affected, and probably reversed the whole course of proceedings of this House, and of its general policy, as the disclosure of it must do even at this late period of the Session.

As to that partial and provisional arrangement by which three Members of this House accepted seats in the Executive Council, without office, for the purpose of carrying on the business of the Government in this House, and as a preparatory step, we could not regard it as more than temporary, or as intended to last longer than the present Session of the Assembly. Its nature was so explained to us by those gentlemen in this House, who were the immediate parties to it, and we looked forward with certainty to a new and permanent arrangement before the Session ended, based on the complete establishment of ministerial responsibility.

It was a matter of high gratification to this House when, in furtherance of what we were led to believe the arrangement come to with your Excellency, three gentlemen possessing our confidence were appointed Members of the Executive Council, undertaking to represent the

the Government, and to conduct the government business in this House. Those gentlemen proceeded to carry on the business of the Government in this House in a manner calculated to retain its confidence, which they have never forfeited. Various measures were introduced by them, the object and effect of which was in many particulars to confer large powers on the Executive Government, and in the course of the passage of such measures, this House received assurances from time to time from those gentlemen, holding as they then did the position of your Excellency's responsible advisers, that the powers sought to be conferred would, in accordance with the arrangement come to, be exercised by an Executive Government completely responsible to this House, and enjoying its entire confidence, so that in effect the full principle of responsible government would be brought into action before or immediately after the termination of the session. Relying on such assurances, this House agreed to many of such proposed measures, which have been forwarded through several stages. In particular, a Bill for regulating the future management of the public reserves has gone through both Houses of the Legislature. A Bill for regulating the disposal of waste lands of the Crown has gone through all its stages in this House except the third reading, the principle of that measure having been affirmed continually by large majorities. A Bill for settling on a definite basis the respective powers of the general and provincial governments under existing laws, has passed through all its stages in this House. A Bill for settling in like manner the principle of apportionment of public revenue between the general and provincial governments has passed through all its stages. A Bill having for its object the establishment of the Executive Government on the basis of ministerial responsibility, by altering the tenure of the principal offices, has gone through a second reading; that Bill has only been delayed for want of the financial estimates, the cause of that delay being solely attributable to your Excellency's executive officers, who appear in this particular, as in others, to have made insufficient preparation for the work of the General Assembly. Other measures of minor importance are under consideration. This House cannot but advert to the foregoing statement of business transacted by it, as vindicating it from the charge seemingly implied by your Excellency's message, that it has legislated only upon insignificant subjects, and in a trifling way. Even had such been the case, an apology might have been found in the circumstances that your Excellency's executive officers had failed in preparing materials for legislation; and those late Members of the government who hold seats in this House have not only been obliged to conduct the ordinary government business of the House, but to mature and actually prepare the legislative measures brought before it, a circumstance of which this House may justly complain in replying to what they cannot but regard as your Excellency's reproof.

Setting aside this incidental point, the important fact to which we would draw your Excellency's attention is, that the legislative measures brought before this House by your Excellency's late advisers were of such a character that this House would not have acceded to them except in full reliance upon the complete establishment of ministerial responsibility, by the retirement of the present holders of office when required, a reliance resting not only on published and official documents, but on assurances given to us by your Excellency's representatives in this House that such would be the case.

The necessity of such change has been made apparent from the actual state of the various departments of the Executive Government, and the condition of public affairs as disclosed in the course of the business of the Session. There appears to be no systematic plan for the management of native affairs, or for effecting purchases of land from the natives; the department of finance is without order or arrangement, nor, so far as we can learn, is there any effectual check over public expenditure. The waste lands department requires thorough reorganization, not merely from its defective state, but in order to adapt it to recent changes. Complaints are heard from many quarters of the state of the survey department. There is no effectual system of public audit, and a difficulty is experienced in ascertaining the real state of the public accounts. Owing to this state of disorder and inefficiency, this House cannot at this moment ascertain the true state of the colony's outstanding liabilities.

The accounts laid before us show wide discrepancies between the actual condition of the public finances, and that stated in your Excellency's opening address. Charges hitherto unknown to the public have been hitherto incurred, which threaten to absorb the larger part of the territorial revenue of the southern provinces. Debentures on the public revenue are stated to be outstanding, issued without authority of law; claims on account of old debts, exceeding in the whole 100,000 *l.*, still hang over the colony; a large mass of old land claims remain unsettled, as it is alleged, by default of the Government, and little or no progress has been made towards setting at rest disputes arising out of old land grants, which it is feared may give rise to native disturbances. Not only is there difficulty in ascertaining the extent of charges on the territorial revenue in the form of land scrip, but the issue of land scrip appears to be without any effectual check, control, or limit. A large percentage of the territorial revenue has been bargained away to the natives, without legal authority; public reserves have been improperly alienated; the native reserves are without regulation by law.

To sum up the case, the whole organisation of government has appeared to this House in a state of weakness and disorder, demanding strong and immediate measures both for restoring it to healthy and vigorous action, and for adapting it to the recent constitutional changes.

Under existing circumstances the present officers of the Executive Government cannot, in the judgment of this House, continue to direct public affairs so as to satisfy the colony or win the confidence of the Legislature. They have been hitherto merely the instruments of

a system of arbitrary rule, nor can it be expected that officers under whose management disorders and abuses have grown up, should be the ready and proper instruments for correcting them.

Permit us to assure your Excellency in the most earnest (though, we trust, not disrespectful) language, that the interests of the colony demand an immediate change, and in accordance with those pledges which we have referred to as having been given in your Excellency's name, we pray you not to interpose any obstacle in the way of the accomplishment of so desirable an object.

We for our part are ready to fulfil so much of the engagement as belongs to us; we are prepared to secure to the retiring officers suitable pensions, and upon receiving your Excellency's assurance in reply to this address, that those gentleman will no longer stand as an obstacle in the way of the public service, we will forthwith pass through our House a measure for securing such pensions. That being done, the compact made between your Excellency and this House is one of which we ask the fulfilment.

Your Excellency will observe that in the foregoing appeal this House has carefully guarded itself against touching upon those controverted questions between your Excellency and your late advisers in this House to which your Excellency's message refers. We have studiously and intentionally drawn that line which it appears to us fitting on our part to observe.

The compact made by your Excellency with this House is one distinct from all private understandings and arrangements between your Excellency and your individual ministers. Our claim on your Excellency rests on no such grounds. It rests on published and official documents, interpreted and explained to us openly and publicly by your Excellency's responsible advisers in this House, upon the faith of which compact the whole business of legislation has proceeded during this Session.

In truth, we do not think that matters of personal controversy between your Excellency and your ministers ought to be brought before this House, as if for judicial decision or arbitrament. This House is an unfit body to determine such questions, whether as a court of honour, or as a judicial tribunal. It has no means of ascertaining accurately the true facts; it can but listen with deep pain to controverted statements of fact on either side. To arbitrate, as your Excellency would seem to ask of this House in such a matter, is an office which we respectfully decline; and we cannot but express our regret that your Excellency should have been advised to make such an appeal.

We venture thus unreservedly to address your Excellency in reference to the terms of your Excellency's message, because it has been publicly announced to us by Mr. E. G. Wakefield, a Member of this House, that that message was prepared and presented to this House under his advice; that he alone is responsible for it, and that he alone has been your Excellency's adviser in this matter. We trust we may be pardoned under these circumstances for expressing our sentiments in reference to that message in other language than if it had been the spontaneous expression of your Excellency's own mind, dictated by your own unbiassed sentiments of honour and generosity.

Having thus ventured to submit to your Excellency arguments, grounded on the consideration of past and existing circumstances, we turn to the future, appealing to your Excellency under a deep and solemn conviction of the responsibility which rests no less upon your Excellency than upon ourselves, under the present critical position of the colony. Dismissing all that has passed, we pray your Excellency to look at the question as now standing on new ground, and surrounded with new circumstances, and therefore justifying new concessions. Will your Excellency deem it wise to return to the original state of things, and to attempt to carry on the Government with your present officers, against the declared judgment of this House, and the general opinion of the colony? Assuming this House to be prepared to place at the disposal of such a Government, the requisite supplies for the public service, we pray your Excellency to consider how powerless it would be to contend against the difficulties with which it would be surrounded. As it would not command the sympathy or respect of the colony, how unable it would be to exercise due control over the provincial Government, and unsupported by a popular general Legislature, or by public opinion, it would be certain to fail in any struggle with those bodies, and in that failure may be involved a loss of influence on which the unity of the colony depends. How unable such a government would be during the short remains of its precarious existence to originate and execute those measures of organic reconstruction of which we have shown so great and such immediate need; besides this, the empire is involved in foreign war, the effects of which may reach even this, its remotest dependency, whilst recent occurrences prove that we are not entirely free from the risk of native disturbances. We pray your Excellency to weigh seriously, and by your own decision to avert the monstrous evils which may spring from a feeble, unsupported, and unpopular government at such a crisis.

We have not overlooked the fact referred to by your Excellency, of the temporary nature of your Excellency's tenure of office; but your Excellency, on the other hand, must pardon us for reminding you, that the demand of ministerial responsibility was one of the obvious incidents of the assembling of a popular Legislature; and that in calling us together, your Excellency, to some extent, bound yourself to follow out that measure to its natural consequences. The temporary and provisional nature of your Excellency's tenure of office, is indeed an argument, the force of which we recognise in estimating your Excellency's claims on our sympathy and gratitude, but not as a ground of relief from the duties of your position. Under grave circumstances like the present, the interests of the colony are the one paramount consideration, and with that object in view, we know not how

to

to draw a distinction between the relations of the Governor *de facto* towards the colony, whether he be a permanent or temporary administrator of the office, nor can we recognise any difference arising out of such distinction, in the nature or degree of the duties and responsibilities which must grow out of such relations.

Before determining this, our last appeal to your Excellency on this subject, we pray your Excellency to bear in mind that we ask no more than the application of a principle of policy fully admitted by the Imperial Government as applicable to colonies in which popular legislatures have been established on the basis of complete representation. The recent cases of Jamaica and Newfoundland, in which it has been applied under the express direction of the Imperial Government, may (we venture to urge) be assumed by your Excellency as safe guides in the present instance.

We trust that your Excellency will pardon this our apparent importunity. We have felt called on thus to lay our sentiments before you without reserve, no less from motives of duty to your Excellency, as founded on a regard for the interests of your Excellency's Government, of Her Majesty's service, and of the colony, than from a deep sense of our own responsibilities, and an anxiety to discharge our own consciences in this matter. And in conclusion, we humbly beg that your Excellency will be pleased to give due weight to arguments founded on considerations of justice, policy, and duty; and, so far as in you lies, to rescue the colony from its alarming difficulties by acceding to our reiterated prayer, for the immediate establishment of the Executive Government on the basis of complete ministerial responsibility.

Passed the House of Representatives this * day of August 1854. * So in copy.

(signed) *Charles Clifford*, Speaker.

— No. 10. —

(No. 79.)

No. 10. Officer administering the Government to the Duke of Newcastle. 4 Sept. 1854.

COPY of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle*.

Government House, Auckland,
4 September 1854.
(Received, 5 December 1854.)

My Lord Duke, (Answered, 8 December 1854, No 39, page 39.)

HAVING devoted my attention during the period of prorogation towards the completion of the arrangements I had intimated to the House of Representatives should be carried out in Message No. 32, as communicated in my despatch No. 77,* of the 17th ultimo, I have the honour to inform your Grace that so many impediments continually presented themselves, that it was not till the 19th, there existed any prospect of succeeding in my endeavours; the views of the Members were so diametrically opposed to each other, and on many fundamental points so strong, that I almost despaired at one time of being able to shape any course wherewith I could open the Session. * Page 22.

2. Believing the views of Mr. Forsaith, the Member for the northern division of the province of Auckland were calculated to be acceptable to a majority of the House, I, with the consent of the Executive Council, consulted that gentleman as to the Member from each province who should be admitted to seats in the Executive, with the clear and distinct understanding, however, that they resign their seats in the Council should they fail to carry with them the support and confidence of the Houses of Assembly, should a new Governor be appointed, or any change take place in the constitution; that, on the other hand, they should identify themselves with the policy contained in the opening Address, and use their best exertions to carry the Legislative business of the Government through the Session.

3. On the 30th ultimo, at an adjourned meeting of the Executive Council, an opening Address (copy of which is enclosed) was considered and approved, which it will be seen embodies a policy that I trust may be considered just and liberal, in keeping with the views of the Governor, Sir George Grey, and addressed to the peculiar circumstances of the colony; the policy may possibly appear in some points too liberal, but the Address was framed with much caution, and the measures introduced were deemed necessary to meet and stem the pressure from the provinces, and at the same time define a line at the onset, beyond which concession could not be carried, and by which to put an end to unforeseen demands and consequent discussion. Enclosure, No. 1. Opening Address to General Assembly, 31 August 1854.

 4. The

nclosure, No. 2. ddress from the ouse of Representatives, September 1854.

4. The reply to this opening address, carried by a majority of 22 to 11, suspends all prospect of any arrangement as to the original aim of the Assembly in connexion with responsible government. The reply from the House of Representatives is herewith enclosed, together with the reply from the Legislative Council on the same subject.

nclosure, No. 3. ddress from the gislative Council, September 1854.

5. Seeing the feeling of the Assembly as a body to be in favour, under existing circumstances, of a moderate degree of legislation, including the supplies for the public service, under the system in existence when it was originally assembled, and having at the same time received the resignation of the unofficial Members of the Executive Council, I, with the sanction of my authorised and constituted advisers, viz., the Colonial Secretary, the Treasurer, and the Attorney-general, have drawn up and submitted an estimate of the probable expenditure of this colony for the financial year ending 30th of June 1855, together with a statement of the pecuniary position of New Zealand on the 31st of July 1854; the one has been framed with the strictest attention to economy, subject, however, to the ordinary effects of the prices of the markets, and the other, I feel convinced, must prove highly satisfactory wherever it may be perused.

I have, &c.
(signed) *R. H. Wynyard,*
Officer administering the Government.

Enclosure 1, in No. 10.

ncl. 1, in No. 10.

General Assembly, Thursday, 31 August 1854.

The Officer administering the Government opened the General Assembly at the Council Chamber, at 12 o'clock, noon, when his Excellency delivered the following

Address.

Honourable Gentlemen of the Legislative Council, and
Gentlemen of the House of Representatives,

My anxiety to promote beneficial legislation for the colony, notwithstanding the circumstances by which that most desirable object has been impeded, induces me to abstain entirely from alluding on the present occasion to the differences which have taken place between myself and the House of Representatives, except for the one purpose of declaring to you my sincere wish, that the whole subject may be henceforth buried in oblivion.

2. Nevertheless I am conscious, as you must be, that the present Session of the Legislature is of an unusual character, and must be considered as taking place, rather for the purpose of disposing of a few matters of great and urgent importance, than of carrying into immediate effect a comprehensive policy, suited to the exigencies of the colony. Accordingly, in deciding upon the measures which it is my intention to recommend to your adoption, I have had more regard to the means of obtaining for you, at a future time, powers which the Constitution Act withholds from the General Assembly, than to accomplish at this moment many objects which might have been pursued with propriety during an ordinary Session, when the Members had not been fatigued by long previous labours, and were not disturbed by a natural anxiety to return as soon as possible to their homes. At the same time it appears to me, that there is matter for congratulation in the circumstance, that the labours of the past Session have operated beneficially in maturing the opinions of the Legislature upon many subjects of importance, and, therefore, contributing valuable facilities towards the work of legislation at the present time.

3. In compliance with engagements into which I consider myself to have entered with both Houses of the Legislature, and with the colony, I have endeavoured, by appointments to my Executive Council, to give to all the provinces an effectual voice and influence in both the legislative and executive proceedings of the Government; and although the extent to which I have been able to accomplish this object is not yet satisfactory to me, especially with regard to the Legislative Council, I am in hopes of being able, ere long, to complete the work in a manner altogether unobjectionable.

4. In compliance with the same engagement, I now proceed to lay before you my views of what the wants and best interests of the colony demand. This shall, as far as possible, be done in the practical form of measures suggested for your adoption, and of statements of my own intentions, with regard to the exercise of powers exclusively vested in the Crown.

5. With regard to legislative measures, I consider it expedient to divide these into three classes. First, such as are of great importance and urgency with regard to time. Secondly, such

such as, though, perhaps, of equal importance, might be postponed if you should be indisposed to devote sufficient time for their enactment; and, thirdly, measures of less consequence, not involving any important political principles, and concerning which it may be presumed that no material difference of opinion exists, either in the Legislative Council or in the House of Representatives.

6. As belonging to the first class, I propose laying before you a Bill for the establisnment of complete ministerial responsibility. This measure is required from me in pursuance of the engagement before alluded to. It would of course be reserved for Her Majesty's assent. I also consider it extremely desirable that a Bill, subject likewise to Her Majesty's assent, should be passed without delay, for empowering the General Assembly to transfer to the Provincial Legislatures its own powers with regard to the waste lands of the Crown.

Under this class, I am also of opinion that the colony will be gratified, and materially served, if you should pass a Bill, likewise to be reserved for Her Majesty's assent, for empowering the General Assembly to alter the composition of the Legislative Council in such manner as to bestow upon that body the popular, yet conservative character of an elected Senate.

7. Under the second class, it seems to me very desirable to pass measures for the following purposes:—

1st. For equalizing the representation of the people in the House of Representatives, so as to give full effect to the following provision of the Constitution Act:—"And in determining the number and extent of such electoral districts, and the number of Members to be elected for each district, regard shall be had to the number of electors within the same, so that the number of Members to be assigned to any one district may bear to the whole number of the Members of the House of Representatives, as nearly as may be, the same proportion as the number of electors within such district shall bear to the whole number of electors in New Zealand."

2dly. For empowering the provincial superintendents and councils to legislate, under certain restrictions, with respect to the issue of bills, notes, or other paper currency.

3dly. For empowering the provincial superintendents and councils to establish and manage provincial post-offices.

4thly. The same with regard to provincial beacons and lighthouses.

5thly. For empowering superintendents to dissolve provincial councils.

These measures would necessarily be reserved for Her Majesty's assent.

6thly. For preventing holders of office under the general Government from sitting as Members in the House of Representatives, excepting always Members of the Executive Council.

8. Under the third class, I propose laying before you a Bill providing for secondary punishments; a Marriage Bill; a Nelson Trust Fund Bill; Land Claimants' Estate Bill; a Bill for establishing limited liabilities in industrious undertakings, and especially with regard to institutions and societies of a benevolent character. Under this class, provided both Houses should be willing, in their regard for the interests of the colony, to devote sufficient time for the purpose, I should also recommend a Bill for the reform of the tariff on the principle of simplification, as laid down in the Report of a Select Committee of the House of Representatives; and a Bill to prevent Bribery and Treating at Elections.

9. In the measure which I shall submit to you for the appropriation of the revenues, you will find adopted these two principles; first, that the portion allotted to the General Government has been carefully reduced to the minimum, not inconsistent with efficiency; and, secondly, that after deducting the same in proportionate shares from the amount raised in each province respectively, the remainder becomes provincial revenue, subject to disposal by the provincial authorities alone.

10. In the estimates of general expenditure, you will find taken as guides, the principles of the closest economy not inconsistent with efficiency, of no pay without work, of pay in proportion to labour and capacity; and of the devotion of the largest possible amount of money to purposes of practical utility for the people.

11. In proposing a sum to meet the expenses incurred by the Members of the Legislature, through their performance of the most important of all services to the people, I have been guided by the liberal but far from extravagant scale which obtains in similar cases in other colonies; and with regard to this subject, I deem it right to express to you my opinion, that it would be as impossible in New Zealand as it has been found in all other new countries, to constitute an efficient Legislature in Session, without fully providing for the expenses of the members. At the same time, I deem it inexpedient, considering the immaturity of this colony, that offices of honour and distinction, which in a great measure supply their own reward, should be made objects of desire to persons likely to be more influenced by pecuniary considerations.

12. Before proceeding to a statement of my views as to the exercise of the powers vested solely in the Crown, I consider it my duty to state that, in the present and immediately prospective composition of the Executive Government, I am in hopes that each province will

will find the means of securing attention to its peculiar wants and wishes, and I can assure you that so long as I shall have the honour of representing Her Majesty in this country, I shall be bent upon so exercising the authority entrusted to me, as to recognise and act upon the principle, that every province, more or less, has peculiar needs, arising from peculiar circumstances, which call for special attention from the general Government. What such needs may be in the provinces of the south, the head of the Government will only be able to learn from the representatives of the provinces in the Assembly, and in particular from Members of the Legislature who shall be advisers of the Governor in his Executive Council. But as respects Auckland, the information which I have been able to obtain, by the residence of the general Government on the spot, enables me to lay down the following propositions, as containing my views of a fair policy towards that portion of the colony. First, that any question as to the seat of Government or place of meeting of the General Assembly shall be, with the Ministers and their supporters, an open question; that if at any time the seat of Government, or the place of meeting of the General Assembly should be changed, the province of Auckland shall have a Lieutenant-governor (subject to the Governor of New Zealand) maintained at its own charge, and exclusive powers of legislation, except on certain specified subjects. In such case, with a view to preserving intact the unity of the colony, certain questions (to be specified) affecting New Zealand as a whole, to be dealt with by laws to be from time to time passed by both Northern and Southern Legislatures, or by an Assembly or convention of a certain number of Members of both Legislatures. That in accordance with the recommendation of a Select Committee of the House of Representatives, the province of Auckland be relieved from bearing any portion of the New Zealand Company's debt; whilst, on the other hand, that province shall bear the whole of any debt incurred for its exclusive advantage.

13. In exercising the power of the Crown, until prospective legislation shall take effect, and complete ministerial resposibility shall be established, I shall always have in view the infusion of activity and vigour into the working of all the departments. These are principally the Post-office, the administration of Customs, and the disposal of waste lands.

14. With regard to the Post-office, I desire the utmost improvement of arrangements (and without delay) for ensuring promptitude, order, safety, and punctuality. The means must be, thoroughly efficient officers, and a new set of regulations, which shall strictly specify their duties, and provide for their constant responsibility in the performance of them. I am of opinion that all the post-offices should be placed under a really efficient Postmaster-general, to whom should also be entrusted the management of steam communication, as far as that may be dependent on the general Government.

15. In the administration of the Customs, such as determining ports of entry, sites of Custom-houses, and the appointment and removal of officers, I intend to be advised by the provincial Governments, until the General Assembly shall have full authority to empower the provincial Governments to manage the Customs administration.

16. On the all-important subject of waste lands, it is necessary for me to enter into fuller explanations. Until the receipt of authority for the Assembly to transfer to the Provincial Legislatures the powers in it vested by the Constitution Act, I am disposed to exercise in the same manner, and with the same effect, the powers which remain vested in the Governor until the General Assembly shall otherwise direct. I intend that the provincial superintendents and councils shall be virtually enabled to frame and administer regulations for the disposal of lands by sale, lease, or depasturing licenses; but inasmuch as the present superintendents and councils were elected when the people had no conception that such powers, with regard to the most important of all colonial subjects, would be conferred upon those authorities, I deem it just and right that the people, in all cases where they shall desire it, should be enabled to exercise afresh their rights of choosing a superintendent and the members of the Provincial Council. By this means, which the Constitution specifically authorizes the Governor to employ when he shall see fit, the intended transfer of powers to the provinces would be made, not to the actual superintendents and councils, who are not, strictly speaking, the provinces, but to the people themselves, being those who are most deeply concerned and interested in this new provincial legislation. It is proposed to adopt the most effectual means in each province of ascertaining whether or not a majority of the electors desire such re-election of the provincial authorities. In any case where a majority of the electors shall decide that question in the negative, the transfer of powers will be made to the existing superintendent and council.

In the meanwhile regulations will be issued, as soon as possible, for the purpose of setting apart in every district of each province a considerable proportion, but not less than one-third, of the waste lands, in such manner as to afford the greatest encouragement and facilities to *bonâ fide* occupying settlers, whether now resident in the colony, or who may come to it from any other place; and in particular it is intended, first, that the cost of passage incurred by any such persons, whether possessing some capital or settling in New Zealand as labourers for hire, shall count as purchase-money of land, at the current rate of steerage passage from the mother country to the colony; secondly, that such persons shall obtain credit for a term of years for the payment of the purchase-money; and thirdly, in order to prevent mere land speculation by settlers of this class, that they shall not obtain a full or transferable title until after actual occupation of the land for a reasonable time. It is also intended, that such

such regulations shall be administered in each province by a Board of Commissioners, to be appointed by the Governor, and to be bound by stringent instructions for securing impartiality and an entire openness and publicity in all their proceedings.

17. In the provinces of Nelson, Wellington, and New Plymouth, there remain unsatisfied claims for compensation in land for losses and sufferings occasioned by the New Zealand Company. That body awarded very ample compensation to the class of resident and absentee purchasers of land from them, but entirely overlooked the working classes, whose peculiar losses and sufferings were made the principal ground-work of those claims to compensation which have already been so fully satisfied. The justice of the claim of the uncompensated in these provinces has been more or less recognized by the Imperial Government and the Governor of New Zealand; and the Provincial Government of Wellington, as represented in the Council, engaged that, whenever the waste lands of the province should be at their disposal, a commission should be appointed to investigate such claims, and award compensation in respect thereof. As it appears hard upon these claimants that compensation to them should be postponed any longer, whilst land in the most valuable situations is being otherwise disposed of, I intend to issue, without delay, a commission or commissions which will make the requisite inquiries, and award a just compensation accordingly in the provinces where such unsatisfied claims exist.

18. As general principles, by which I deem it expedient and desirable that the Legislature and Executive should be constantly guided, the following appear to me peculiarly important: First, that the conferring of legislative power on the Executive should be carefully avoided, as being unconstitutional and contrary to the spirit and genius of free government. Secondly, that each province shall, as far as possible, be left to govern itself in respect of all matters affecting its interests singly, and subject generally to the minimum of restriction consistent with the general superintendence of the general Government; nothing being more objectionable for New Zealand than a general government interfering or meddling with the provincial authorities in matters of local concern. As a practical instance, I shall be prepared at once to assent to any law which may be passed by any provincial Legislature for altering the electoral districts for the provincial elections, and increasing the number of Members in the Provincial Council. Thirdly, that no privilege or advantage shall be given to any province exclusively, but that absolute justice shall, as far as possible, be done to all without distinction, though justice itself may sometimes demand special legislation for a province, in order to meet its peculiar circumstances.

19. In conclusion, let me express my earnest hope and trust that the line of policy which I have indicated to you may prove as satisfactory to you as I cannot doubt that it will to those whose interests are committed to our care, and that we may be enabled by patience and industry, even by the brief Session of the Legislature which is now compatible with the desire of the southern members to return to their provinces, to give so much effect to that policy as shall be immediately felt by the people in the form of valuable practical improvement of their condition.

(signed) *R. H. Wynyard*,
Officer administering the Government.

Government House, Auckland,
31 August 1854.

Enclosure 2, in No. 10.

To his Excellency the Officer administering the Government of New Zealand. Encl. 2, in No. 10

We, the Commons of New Zealand, assembled in their House of Representatives, acknowledge with great respect the address delivered by your Excellency to this House at the opening of the present Session.

Heartily concurring in the wish expressed by your Excellency to avoid reference to past differences between your Excellency and this House, and anxious to devote the small space of time which remains available of the Session before us to measures of immediate importance, we respectfully point your Excellency's attention to the fact, that a large proportion of the Members of the Legislature, drawn from the southern parts of the colony, have already been detained from their homes, some upwards of five months, none for a less period than three months and a half; and that they will be obliged to return thither by the next steamer, which may be expected to leave Auckland probably within a few days from this time.

It being obvious, that, under these circumstances, it would be impossible to give adequate consideration to all the measures proposed in your Excellency's address, this House can only state that it recognises the practical utility of many of them. It must, at the same time, add, that as to a large proportion of these measures it is of opinion that they involve questions of policy of such magnitude that they ought to be submitted to a Session of the General Assembly, with ample time before it for deliberation, and then only by a Government enjoying the confidence of the Legislature, and responsible to it for the proper administration of whatever measures may be adopted.

But that which appears to this House to be its most urgent and imperative duty is to provide supplies for the public service, a matter to which it would be its anxious wish to devote its first and most careful attention.

Whilst the House thankfully acknowledges the desire expressed by your Excellency to give effect to the principle of ministerial responsibility in the conduct of legislative and executive affairs, it cannot refrain from expressing its regret that your Excellency should have deemed yourself to be in such a position as to be unable to concede its immediate and complete establishment.

During the necesary interval which must elapse before this object can be attained, this House ventures to submit to your Excellency its deliberate judgement that such a partial application of the principle as is proposed by your Excellency will fail in its object, and be attended with detriment to the public service. A mixed Executive, as now constituted, composed in part of irresponsible officers, and in part of Members drawn from a small minority of this House; a ministry constructed on a delusive theory of representation of provincial interests, is a form of government in which the House declares its absolute want of confidence.

During the interval of suspense, which we fear is inevitable before the establishment of ministerial responsibility, this House reluctantly expresses its opinion, that the Executive Government of the colony should be continued, as formerly, under the exclusive management of those public officers who at present derive their authority from and are responsible to Her Majesty.

This House has already conveyed to your Excellency its opinion as to the expediency of such a change; but, as a choice of evils, it deems it best to submit, for a short space of time, to that alternative.

This House is ready to grant supplies to a Government conducted by the old executive officers, and it humbly prays your Excellency to lay before it the necessary estimates at the earliest possible moment.

Further, this House begs to assure your Excellency that it will devote the small space of time during which it is possible for Members to remain together, to the work of forwarding such legitimate measures as are of the most urgent importance, and as can be passed through the requisite stages within the allotted time; and under the pressure of existing circumstances it will, by all means in its power facilitate the passage of such public business.

(signed) *Charles Clifford*,
Speaker.

House of Representatives, New Zealand,
1 September 1854.

Enclosure 3, in No. 10.

l. 3, in No. 10. To His Excellency Lieutenant-colonel *R. H. Wynyard*, C. B., the Officer administering the Government of New Zealand, &c. &c.

May it please your Excellency,

We, the Legislative Council of New Zealand, desire respectfully to address your Excellency, in reply to the speech with which your Excellency has been pleased to open the second Session of the General Assembly, and to assure your Excellency that whatever measures may be brought before us by your Government or by the House of Representatives, will receive our most careful consideration.

(signed) *William Swainson*,
Speaker.

Legislative Council Chamber, Auckland,
1 September 1854.

— No. 11. —

(No. 81.)

No. 11.
cer adminis-
ng the Govern-
t to the Duke
Newcastle.
ept. 1854.

Copy of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle*.

Government House, Auckland,
7 September 1854.

(Received, 30 January 1855.)

My Lord Duke,

In reference to my despatches No. 77 and 79, I now do myself the honour of transmitting to your Grace the enclosed copy of a communication I have received from the Speaker of the House of Representatives, giving cover to an address to Her Majesty the Queen, passed by the House on the second instant; the original of which it appears has been forwarded direct to your Grace.

ne of Repre-
tives,
ptember 1854.

2. Having placed your Grace in possession of all the facts which led to the prorogation of the Houses of Assembly on the 17th ultimo, and forwarded a copy of my address on opening the second Session on the 31st, I shall not venture,

venture, nor do I deem it necessary, to offer any comments on the present occasion in connexion with the observations contained in the document which accompanied the Speaker's letter to me.

I have, &c.
(signed) *R. H. Wynyard,*
Officer administering the Government.

Enclosure 1, in No. 11.

Encl. 1, in No. 11.

House of Representatives, Auckland,
6 September 1854.

Sir,

I HAVE the honour to transmit for your Excellency's information a copy of an address to Her Majesty, voted by this House on the second instant, the original of which I have this day caused to be transmitted to Her Majesty's Principal Secretary of State for the Colonies.

I have, &c.
(signed) *Charles Clifford,*
Speaker.

His Excellency
the Officer administering the Government, &c. &c.

Enclosure 2, in No. 11.

Encl. 2, in No. 11.

To the Queen's Most Excellent Majesty,

WE, the Commons of New Zealand, assembled in their House of Representatives, humbly beg leave to approach your Majesty, with renewed assurances of our loyalty and attachment to your Majesty's person and Throne.

We have already conveyed to your Majesty, our grateful thanks for the boon of Constitutional freedom conferred on us by a recent Act of the Imperial Legislature.

We have further addressed your Majesty, in grateful acknowledgment of what we then believed to have been the final completion of that measure of constitutional freedom by the concession of responsible government; we deeply regret now to be compelled to address your Majesty in other language, and to pray for that we believed we had already attained.

We are compelled to submit to your Majesty this our humble prayer, that your Majesty will be pleased to give effect to the principle of ministerial responsibility, in the conduct of legislative and executive affairs, by instructing his Excellency the Officer administering the the Government, to remove from their offices, the gentlemen filling respectively the offices of Attorney-general, Colonial Secretary, and Colonial Treasurer of this colony; and further to instruct his Excellency to give your Majesty's Royal Assent to a Bill to be passed by the General Assembly, for establishing the Executive Government on the basis of ministerial responsibility.

It would be impossible within the limits of this address, to narrate fully the circumstances under which we are obliged to make this appeal. We have ordered to be transmitted to your Majesty's Secretary of State for the Colonies, the fullest and most authentic particulars, in sure reliance that a due consideration of them will satisfy your Majesty of the justice and wisdom of that measure, which we now pray your Majesty to grant.

We can assure your Majesty that a generous confidence in the people of this colony, which shall place in their own hands, through an Executive Government responsible to a popular Legislature, a large control over their own affairs, will be a sure means of uniting this distant dependency of Great Britain to its parent Empire by an indissoluble tie.

(signed) *Charles Clifford,*
Speaker.

Passed the House of Representatives, this 2d day of September 1854.

— No. 12. —

(No. 82.)

No. 12.
Officer administering the Government to the Duke of Newcastle.
18 Sept. 1854.

COPY of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle.*

Government House, Auckland,
18 September 1854.
(Received, 30 January 1855.)

My Lord Duke, (Answered, 8 February 1855, No. 17, page 42.)

Encl. No. 1.
Address to General Assembly, Auckland, 16 September 1854.

Encl. No. 2.
Proclamation, dated 16 September 1854.

THE business of the second Session of the General Assembly having come to a close, I now do myself the honour of transmitting, for your Grace's information, a copy of the Address I delivered to that body on Saturday, the 16th instant, together with the copy of a Proclamation issued on the same occasion, proroguing the Assembly until the 5th July 1855.

English Acts Act.
Naturalization Act.
Dower Act.
Nelson Trust Funds Act.
Licensing Amendment Act.
Waste Lands Act.
Public Reserves Act.
Law Practitioners Act.
Secondary Punishments Act.
Powers of Attorney Act.
Appropriation Act.
Marriage Act.

2. The Bills specified in the margin have been duly assented to by me on behalf of Her Majesty, and shall be transmitted to your Grace for confirmation as soon as they are duly prepared. "A Bill to authorise the General Assembly to empower the Provincial Councils to enact Laws for regulating the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Colony," I have reserved for the signification of Her Majesty's pleasure thereon, and shall be forwarded in like manner in a separate despatch.

I have, &c.
(signed) *R. H. Wynyard,*
Officer administering the Government.

Enclosure 1, in No. 12.

Encl. 1, in No. 12. ADDRESS of His Excellency the Officer administering the Government to the General Assembly, 16 September 1854.

Honourable Gentlemen of the Legislative Council, and
Gentlemen of the House of Representatives,

You will be glad to learn that the state of the public business enables me to bring the present Session to a close.

On the occasion of its first meeting, I urged upon the consideration of the Assembly the necessity of deciding upon the most advantageous apportionment of power between the general and the provincial authorities, of maturing the measures necessary for securing its practical adjustment, and of adopting some guiding principle on which the Assembly should proceed in the exercise of its own constituent powers.

Although but little progress has yet been made towards the accomplishment of these important objects, I cannot bring the business of the Assembly to a close without congratulating you on the amount of useful legislation you have accomplished during the brief period which has elapsed since the commencement of the present Session.

Of the various measures which have been presented for my acceptance, there is not one to which I have thought it my duty to refuse my assent, and, with the exception of the Appropriation Bill, I have been able to give to all the measures you have passed an unqualified approval.

Gentlemen of the House of Representatives,

It is provided by the Constitution Act, as you are aware, that it shall be competent for the Governor, before declaring his pleasure in regard to any Bill presented for his assent, to make such amendments in it as he may think expedient, and to return it with such amendments for the further consideration of the House. I have to express my regret that the lateness of the period at which it has been presented for my assent has virtually precluded me from exercising that power with respect to the Bill for appropriating the public revenues.

With an explanation before you of the reasons for which provision was recommended to be made for the services which I find have been left unprovided for by that Bill, I can entertain no doubt that, with respect to some of them at least, you would, on re-consideration, have recognised the necessity which exists for their continued maintenance.

Without expressing any opinion as to the policy of transferring certain of the public departments from the control of the general Government to that of the provincial authorities, an object sought to be accomplished by the Bill, I cannot refrain from expressing my conviction that a measure involving so important a question as the apportionment of Legislative and Executive power between the general Government and the subordinate local authorities, ought rather to be determined by a permanent enactment, to which, after full discussion, and with ample time for consideration, all the three branches of the Legislature shall have given their deliberate assent.

Gentlemen of the Assembly,

I have had great pleasure in giving my assent, in Her Majesty's name, to the Bill "For regulating the disposal of the Waste Lands of the Crown in New Zealand."

With regard to the system now in operation for disposing of the waste lands of the Crown, established by Governor Sir George Grey, the Act affirms the validity of the Proclamation of the 4th March 1853, and confirms the General Land Regulations contained in it, and at the same time makes provision against their hasty or inconsiderate alteration. With regard to the future, the Waste Lands Act in effect provides that henceforward the demesne lands of the Crown shall be disposed of in accordance with the wishes of the colonists of New Zealand. So far as may depend upon myself, I have only to repeat the assurance I have already conveyed to both Houses of the Legislature, that I shall be prepared,

pared, as occasion may require, to adapt the existing Land Regulations to the particular requirements of the various provinces, and as far as may be consistent with the interests of the colony at large, in conformity with the wants and wishes of the several inhabitants. With respect to the unsatisfied claims alluded to in my Address on opening the Session, it will now mainly rest with the colonists themselves to determine in what manner and to what extent compensation shall be awarded to those who may be found to have just and unsatisfied claims to compensation, on account of their losses and sufferings arising out of the unfulfilled engagements of the New Zealand Company, and to which pointed reference has been made in a recent Report of a Select Committee of the House of Representatives on the subject of that Company's debt.

The operation of the no less important Bill to authorise the General Assembly to empower the provincial councils to make laws for regulating the sale and disposal of the waste lands of the Crown, must necessarily be deferred until it shall have received the Royal Assent; I shall not fail to urge Her Majesty's Government to take such measures as may be deemed necessary for enabling the General Assembly lawfully to delegate to the provincial legislatures the powers conferred upon the Assembly by the New Zealand Constitution Act.

Owing to the late period at which the "Bill for regulating the Law of Marriage" has been presented for my assent, I have been unable to give to its provisions that careful attention which the importance of that measure most undoubtedly demands; neither have I had the opportunity of offering to you any amendments which a deliberate consideration of the measure in its details might have enabled me to suggest. I have much pleasure, however, in declaring my entire approval of the principle on which the Act has been based, and I am happy to believe that the Assembly have succeeded in devising a measure which, without disturbing the good feeling which has hitherto subsisted between the various religious denominations, without creating invidious distinctions between them, and without unnecessarily interfering with existing usages, will be found more efficient in its provisions than the disallowed Ordinance of 1851.

The "English Acts Act," to which I have also given my assent, will have the effect of extending to New Zealand the benefit of those amendments which, within the last few years, have been effected by the British Parliament in the laws relating to the administration of justice; and the provisions of the "Secondary Punishments Act" will, I trust, be found to operate not less beneficially in promoting the efficiency of the law.

On the subject of the charge of 268,000 *l.* upon the waste lands of the colony in favour of the New Zealand Company, it will no doubt be satisfactory to the colonists to be informed that both the Legislative Council and the House of Representatives have agreed to a Resolution, to the effect that the charge in favour of the New Zealand Company on the land fund of the colony, is an oppressive burthen on its resources, and appears to have been created by Parliament in ignorance of the real facts, and to have been obtained by that Company by means of the suppression of material circumstances. I need hardly add, that I believe a full and fair inquiry into the subject by the Imperial Government is due to the colonists of New Zealand.

The determination evinced by both Houses of the Legislature, to take effectual means to repress the spread of intemperance in this country, will, I believe, be hailed by the whole community with unqualified approval.

Cordially concurring in the views embodied in the address presented to me on the subject of education, that "the establishment of a sound system of education for the youth of New Zealand, is a matter of public concern;" and that, in order to determine whether the education of youth in New Zealand would be extended or improved by the interposition of the State, it is desirable to ascertain the present state of education in New Zealand. I will use my best endeavours to furnish the Assembly on the occasion of its next meeting with the information necessary for giving effect to the wishes of the Legislative Council embodied in the Resolution in question.

It only now remains for me to thank you, gentlemen, on the part of the country, for the time and attention you have given to the discharge of your public duties, and to express my earnest hope that the measures you have passed may, by the Divine blessing, be found to promote the progress of the country, and the happiness and contentment of the people.

(signed) *R. H. Wynyard,*
Officer administering the Government.

Enclosure 2, in No. 12.

PROCLAMATION of his Excellency the Officer administering the Government, 16 September 1854. Encl. 2, in No. 12.

By his Excellency Lieutenant-colonel *Robert Henry Wynyard,* a Companion of the Most Honourable Order of the Bath, the Officer administering the Government of the Islands of New Zealand, &c. &c. &c.

WHEREAS by an Act made and enacted in the Parliament holden in the 15th and 16th years of the reign of Her Majesty Queen Victoria, intituled, "An Act to grant a Representative Constitution to the Colony of New Zealand," it is amongst other things enacted, that the Governor may at his pleasure prorogue the General Assembly of New Zealand.

Now I, the Officer administering the Government of New Zealand, do hereby proclaim and declare that, pursuant to the authority vested in me in that behalf by the said recited Act, I have this day prorogued the General Assembly of New Zealand until the 5th day of July 1855.

Given under my hand, and issued under the public seal of the islands of New Zealand, at Auckland, this 16th day of September, in the year of our Lord 1854.

(signed) *R. H. Wynyard,*
Officer administering the Government.

By His Excellency's command,

(signed) *Andrew Sinclair,*
Colonial Secretary.

God save the Queen!

— No. 13. —

(No. 88.)

No. 13.
Officer administering the Government to the Duke of Newcastle.
22 Sept. 1854.

Copy of a DESPATCH from the Officer administering the Government to the Duke of *Newcastle.*

Government House, Auckland,
22 September 1854.
(Received, 30 January 1855.)

My Lord Duke,

A question having been raised just as the last Session of the Assembly was drawing to a close, as to whether the Legislative Council would be justified in making any alteration in a measure of Supply, or whether by analogy to the British constitution the Legislative Council of New Zealand must not either wholly accept or wholly reject every such measure; the Resolution, of which the enclosed is a copy, has been forwarded to me by the Speaker of that body for transmission to your Grace, in order that all doubt upon the subject may be at once authoritatively set at rest, and thus avoid the evils which must result from any conflict of opinion between the two branches of the General Assembly, as to the nature and extent of their constitutional rights.

Legislative Council Chamber, Auckland, 20 September 1854.

I have, &c.
(signed) *R. H. Wynyard,*
Officer administering the Government.

Enclosure in No. 13.

Encl. in No. 13.

Legislative Council Chamber, Auckland,
20 September 1854.

Sir,

In obedience to a resolution of the Legislative Council, I beg most respectfully to draw your Excellency's attention to the enclosed extract from the proceedings of that body of the 15th September 1854.

I have, &c.
(signed) *William Swainson,*
Speaker.

His Excellency the Officer administering the Government of New Zealand.

Sub-Enclosure to Enclosure in No. 13.

Extract from the Proceedings of the Legislative Council, 15th September 1854.

Resolved,

1. That as the Bill for appropriating the public revenues was not introduced into the Legislative Council until the 15th instant, and as the Assembly is to be prorogued on the 16th instant, this Council has no alternative but either wholly to reject the Bill, or to agree to it in the form in which it has been transmitted to them by the House of Representatives.

2. That in consenting to pass the Appropriation Bill for 1854–5 without alteration of any of the sums voted by the House of Representatives, the Legislative Council have regard

regard solely to the maintenance of the civil establishments of the colony, and desire in no way to prejudice any right to alter or amend the annual Appropriation Bill, or any other measure for raising or disposing of the public revenues.

3. That although the Act for granting a Representative Constitution to the colony of New Zealand contains no provisions for limiting or restricting the power of the Legislative Council to alter or amend any legislative measures whatever, which may be submitted for their consideration, the question has nevertheless been raised whether the Legislative Council would be justified in making any alteration in a measure of supply, or whether by analogy to the British constitution the Legislative Council of New Zealand must not either wholly accept or wholly reject every such measure.

4. That in order to avoid the evils which would result from any conflict of opinion between two of the branches of the General Assembly, as to the nature and extent of their respective constitutional rights, all doubt upon the subject should be at once and authoritatively set at rest; and that with a view to that object his Excellency the Officer administering the Government be respectfully moved to bring the question under the consideration of Her Majesty's Imperial Government.

5. That a copy of the preceding Resolutions (passed this day) in reference to the rights of the Legislative Council in respect of measures of supply, be forwarded to his Excellency the Officer administering the Government, and that his Excellency's attention thereto be respectfully requested.

(True extract.)

(signed) *William Swainson,*
Speaker of the Legislative Council.

Despatches from the Secretary of State.

— No. 1. —

(No. 39.)

No. 1.
Sir G. Grey, Bart. to the Officer administering the Government.
8 Dec. 1854.

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart., to the Officer Administering the Government.

Sir, Downing-street, 8 December 1854.

I HAVE to acknowledge your despatches of the numbers and dates specified in the margin, reporting the proceedings which have taken place in the General Assembly of New Zealand on the subject of the future Executive Government of the colony.

No. 48, 9 June 1854.
No. 49, 12 June 1854.
No. 73, 10 Aug. 1854.
No. 74, 11 Aug. 1854.
No. 77, 17 Aug. 1854.
No. 79, 4 Sept. 1854.

As regards the most important portion of that subject, I have taken the earliest opportunity of informing you that Her Majesty's Government have no objection whatever to offer to the establishment of the system known as responsible government, in New Zealand. They have no reason to doubt that it will prove the best adapted for developing the interests as well as satisfying the wishes of the community. Nor have they any desire to propose terms, or to lay down restrictions on your assent to the measures which may be necessary for that object, except that of which the necessity appears to be fully recognised by the General Assembly, namely, the making provision for certain officers who have accepted their offices on the equitable understanding of their permanence, and who may now be liable to removal. The only officers mentioned in your despatches as likely to fall within this category, are the Colonial Secretary and Treasurer, and the Attorney-general, nor am I myself aware of any others; but I do not wish to fetter your discretion, if further consideration makes it, in your opinion, desirable to alter the list.

Should the arrangements made for this purpose be in your judgment satisfactory, you are authorised to admit at once the new holder of office under the responsible system, reporting their names for confirmation in the usual manner. There will be no occasion, on this supposition, for a further reference to the home Government before the change is carried into effect. But if the arrangements proposed should not meet your approval, which I trust will not be

be the case, the appeal to the home Government for ultimate decision will be unavoidable.

The preliminary steps for the introduction of responsible government being thus few and plain, I do not understand the opinion which some portions of this correspondence appear to convey, and which is supported by the language of your Address of 31st August, that Legislative enactment by the General Assembly is required to bring the change into operation. In this country the recognised plan of Parliamentary government, by which Ministers are responsible to Parliament, and their continuance in office practically depends on the votes of the two Houses, rests on no written law, but on usage only. In carrying a similar system into effect in the North American Colonies legislation has indeed been necessary, to make a binding arrangement for the surrender by the Crown of the territorial revenues, which has generally formed part of the scheme, and for the establishment of a civil list, but not for any other purpose. In New Zealand the territorial revenue has already been ceded to the Assembly, and Her Majesty's Government have no terms to propose with reference to the civil list already established. Unless, therefore, there are local laws in existence which would be repugnant to the new system, legislation seems uncalled for, except for the very simple purpose of securing their pensions to retiring officers; and if uncalled for, such legislation is objectionable, because the laws so enacted would probably stand in the way of the various partial changes which it might be necessary to adopt in the details of a system in its nature liable to much modification.

The shortness of the time at my command, as I am anxious to answer your despatches by the present mail, prevents me from entering on the details of the narrative contained in your despatches; nor, indeed, does there appear any necessity for my doing so; I am satisfied that you acted to the best of your judgment under the circumstances in which you were placed; and it gives me much pleasure to find that the ultimate result of the deliberations of the General Assembly has been the adoption of the ordinary and most satisfactory course, namely, that of referring the question of responsible government to Her Majesty's Minister for complete adjustment, instead of putting it partially in practice, and leaving some important question bearing on it undecided.

There are passages in your Address already referred to, of 31st August, to the General Assembly, after its prorogation, to which I feel it my duty shortly to advert. You appear in that Address to have especially called the attention of the Assembly to the expediency of legislation on a subject upon which they could not, by the constitution, legislate at all; I refer to the proposal for rendering the Legislative Council elective. It is also extremely doubtful whether the proposed measure for authorising the superintendents to dissolve provincial councils, a function reserved by section 13 of the Constitutional Act to the Governor, is within the powers of the General Assembly. So, too, the constituting Auckland as a separate government, under a Lieutenant-governor, and with exclusive powers of legislation, if I rightly understand what is meant by the proposal, is also a measure which it would be beyond the power of that body to carry into execution. You appear also to propose the foundation of a new federal convention (apart from the General Assembly), which would be an innovation irreconcileable with the existing fundamental law.

I do not now enter on the question of the expediency of these several schemes, but I am anxious to call your attention to the inconvenience of inviting the Legislature to originate measures to which the Crown could not assent, as such assent would be invalid.

The views of Her Majesty's Government on these points will be communicated to the Governor, who will, I hope, shortly proceed to New Zealand, but as you have yourself conducted the proceedings reported in your present despatches, and I am very desirous to avoid unnecessary delay, I have no hesitation in authorising you to act in person on my present instructions.

I am, &c.
(signed) *G. Grey.*

— No. 2. —

(No. 11.)

No. 2.
Sir G. Grey, Bart. to the Officer administering the Government.
27 Jan. 1855.

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart., to the Officer administering the Government.

Sir, Downing-street, 27 January 1855.

I HAVE received your despatch, No. 51*, of the 16th June, respecting the nomination of Mr. J. E. Fitzgerald, Mr. F. A. Weld, and Mr. H. Sewell, as members of the Executive Council.

* Page 7.

I have also to acknowledge your two despatches, No. 55†, of 30th June, and No. 63, of 12th July, the one stating the circumstances under which Mr. F. Dillon Bell, a non-official member of the Legislative Council, had been nominated to the Executive Council, and the other mentioning Mr. Bell's subsequent resignation of his seat, and the appointment of Mr. Bartley in his stead.

† Page 7.

In reply, I need only refer you to my despatch, No. 39, of the 8th ultimo, relative to the proceedings which had taken place in the General Assembly of New Zealand on the subject of the future executive government of the colony; and I have to add, that the present despatches reached this department after the date of that Instruction.

I have, &c.
(signed) *G. Grey.*

— No. 3. —

(No. 7.)

No. 3.
Sir G. Grey, Bart. to the Officer administering the Government.
23 Jan. 1855.

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart., to the Officer administering the Government.

Sir, Downing-street, 23 January 1855.

I HAVE to acknowledge the receipt of your despatch, No. 64, of the 12th July last, reporting that you had called to a seat in the Legislative Council of New Zealand Mr. T. H. Bartley.

The Queen having been pleased to approve Mr. Bartley's appointment, I transmit to you herewith a warrant under the Royal sign manual, authorising you to summon him to the Legislative Council accordingly.

I have, &c.
(signed) *G. Grey.*

— No. 4. —

(No. 16.)

No. 4.
Sir G. Grey, Bart. to the Officer administering the Government.
8 Feb. 1855.

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart., to the Officer administering the Government.

Sir, Downing-street, 8 February 1855.

I HAVE received your despatch, No. 81‡, of the 7th September last, enclosing an Address to the Queen, from the House of Representatives in New Zealand, urging the introduction of the system of responsible government into the colony. You will acquaint that body that I have laid their Address before the Queen, who was pleased to receive it very graciously, and I have only further to refer you to my despatch, No. 39, of the 8th December last, as conveying the views of Her Majesty's Government upon the subject.

‡ Page 34.

I have, &c.
(signed) *G. Grey.*

— No. 5. —

No. 5.
Sir G. Grey, Bart. to the Officer administering the the Government. 8 Feb. 1855.

(No. 17.)

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart., to the Officer administering the Government.

Sir, Downing-street, 8 February 1855.

I HAVE to acknowledge the receipt of your despatch, No. 82,* of the 18th September, reporting the prorogation of the General Assembly until the 5th July next, with a copy of your address, and of the proclamation which you had issued on that occasion.

* Page 35.

I have, &c.
(signed) *G. Grey.*

NEW ZEALAND.

COPIES of the Recent CORRESPONDENCE between HER MAJESTY'S SECRETARY OF STATE for the COLONIES and the ACTING GOVERNOR of *New Zealand* on the Subject of RESPONSIBLE GOVERNMENT.

(*Mr. Adderley.*)

Ordered, by The House of Commons, *to be Printed,* 30 *March* 1855.

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